



# Journal

OF THE

## SENATE

OF THE

## State of Georgia,

at an annual session of the Legislature, begun and held at  
Milledgeville, the seat of government, on Monday  
the 1st day of November,

### 1813.

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MILLEDGEVILLE,

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PRINTERS TO THE STATE.





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# JOURNAL

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### STATE OF GEORGIA.

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MONDAY, 1st NOVEMBER, 1813.

THE members of the respective counties appeared, nominated the Hon. Mathew Talbot to the Chair, produced their credentials, and the Constitutional oath being administered to them respectively, by Edmund B. Jenkins, Esq. Justice of the Inferior court for the county of Baldwin—took their seats, viz.

From the county of	<i>M Intosh,</i> the Hon. Thomas Spalding.	Jeoday Newsom.
<i>Jackson,</i> the Hon. Hugh Montgomery.	<i>Warren,</i>	Arthur Fort. —
<i>Columbia,</i>	<i>Twiggs,</i>	Jordin Baker.
<i>Scriven,</i>	<i>Jasper,</i>	Jared Irwin. —
<i>Glynn,</i>	<i>Washington,</i>	John Fulwood.
<i>Telfair,</i>	<i>Laurens,</i>	William Rabun. —
<i>Emanuel,</i>	<i>Hancock,</i>	John Lumpkin.
<i>Jefferson,</i>	<i>Oglethorpe,</i>	Zadock Cook.
<i>Pulaski,</i>	<i>Clarke,</i>	James H. Little.
<i>Tatnall,</i>	<i>Franklin,</i>	John M. Dooly. —
<i>Wayne,</i>	<i>Lincoln,</i>	Allen Daniel. —
<i>Jones,</i>	<i>Madison,</i>	Jesse Scruggs.
<i>Burke,</i>	<i>Effingham,</i>	James Nesbit.
<i>Liberty,</i>	<i>Greene,</i>	John Rawles.
<i>Montgomery,</i>	<i>Bulloch,</i>	John Pray.
<i>Elbert,</i>	<i>Bryan,</i>	Freeman Walker.
<i>Morgan,</i>	<i>Richmond,</i>	William D. Lane.
	<i>Putnam,</i>	Mathew Talbot.
	<i>Wilkes,</i>	George Jones.
	<i>Chatham,</i>	Lazarus Battel.
	<i>Baldwin,</i>	John Hardee.
	<i>Camden,</i>	John Hatcher.
	<i>Wilkinson,</i>	

The Chairman adjourned the Senate till to-morrow morning 10 o'clock.

TUESDAY, 2d November, 1813.

The honorable the Chairman having taken his seat,

The Senate proceeded to the choice of their President, and on counting out the votes, it appeared that the honorable William Rabun was again duly chosen.

They also proceeded to the choice of their Secretary, and on counting out the votes, it appeared that Will. Robertson was duly elected.

Also to the choice of Messenger and Door-keeper, and on counting out the ballots, it appeared that Henry Williams was chosen Messenger and Alexander Greene Door keeper.

On motion of Mr. Scruggs,

Resolved, That the Secretary do inform the House of Representatives that the Senate have organized, and made choice of the hon. William Rabun their President and Will. Robertson their Secretary, and are ready to proceed to business.

On motion of Mr. Byne,

Resolved, That the Senate be governed by the rules of last session, until altered.

On motion of Mr. Cook,

Resolved, That the members of Senate proceed in the usual way to draw for their respective seats.

A message from the House of Representatives by Mr. Clayton their clerk;

Mr. President;

I am directed to inform the Senate that the House of Representatives are now organized and ready to proceed to business, and have elected the honorable Benjamin Whitaker their Speaker, and A. S. Clayton their Clerk—and he withdrew.

On motion of Mr. Daniel,

Resolved, That a committee be appointed on the part of Senate, to join such as may be appointed by the House of Representatives to wait on His Excellency the Governor, and inform him that the General Assembly are now organized and are ready to receive any communications which he may be pleased to lay before them—Whereupon,

Ordered, that Messrs. Daniel, Scruggs and Byne be that committee on part of Senate.

On motion of Mr. Dooly,

Resolved, That a committee be appointed on the part of Senate, to compose a joint committee on the State of the Republic—Whereupon,

Ordered, That Messrs Dooly, Montgomery, Talbot, Jones, Daniel, Walker and Pray be the committee on part of Senate.

On motion of Mr. Fort,

Resolved, That a committee be appointed on part of Senate, to compose a joint committee on Finance—Whereupon,

Ordered, That Messrs. Fort, Spalding, Foster, Cook, Byne, Powell and Watkins be the committee on the part of Senate.

On motion of Mr. Newsom,

Resolved, That a committee be appointed on Petitions.

Ordered, That Messrs. Newsom, Lane and Nesbit be that committee.

On motion of Mr. Daniel,

Resolved, That in the opinion of this Legislature, the services of the Adjutant General of this state is necessarily required with the troops from this state which are now in the service of the United States, during their expedition against the hostile Indians.

And be it further resolved, That the Adjutant General be, and he is hereby authorised to appoint an assistant to do the duties of his office in this state, during his absence from this state, and

Also Resolved, That His Excellency the Governor be, and he is hereby required to direct the Adjutant General to repair without delay to the army now under the command of Brig. Gen. John Floyd.

On motion of Mr. Dooly,

Resolved, That a committee be appointed to join any committee on the part of the House of Representatives, to contract for printing the Laws and Journals of the present session—Whereupon,

Ordered, That Messrs. Dooly, Bat tel and Jones be the committee on part of Senate.

On motion of Mr. Newsom,

Resolved, That a committee on the part of Senate be appointed, to compose a joint committee on Enrolment.

Ordered, That Messrs. Newsom, Lane and Fannin be the committee on the part of Senate.

A message from the House of Representatives by Mr. Clayton their clerk ;

Mr. President ;

The House of Representatives have agreed to a joint committee to wait on His Excellency the Governor and inform him that the Legislature have convened, and are ready to receive any communication which may be made by him, and have joined a committee on their part—and he withdrew.

On motion of Mr. Dooly,

Resolved, That the Senate will convene in the Representative Chamber on Thursday next, at 12 o'clock, to proceed to the election of a Governor of this state,

On motion of Mr. Cook,

Resolved, That a committee on Privileges and Elections be appointed, and that the election returns from the different counties be laid before them.

Ordered, That Messrs. Cook, Lumpkin and Blair be that committee.

On motion of Mr. Foster,

Resolved, That the Senate will convene in the Representative Chamber on Saturday next, at 12 o'clock, in order to proceed to the election of a Senator from this state, to the Senate of the United States, to fill the vacancy of the Hon. William H. Crawford, resigned, and also four Judges of the Superior Courts, viz.—One for the Eastern Circuit, one for the Middle Circuit, one for the Western Circuit, and one for the Ocmulgee Circuit—and also an Attorney General for the Middle Circuit, and a Solicitor General for the Eastern Circuit, a Solicitor General for the Western, and one for the Ocmulgee Circuit.

On motion of Mr. Spalding,

Resolved, That a committee be appointed to call upon such of the Representatives in the Congress of the United States from this state as are now here, to ascertain from them what may be the amount of money in the Treasury of the United States, for the sale of the lands of the Mississippi territory at the credit of the state of Georgia, and that they be further authorised to seek in the Executive Department and elsewhere for such information as may be necessary on the subject.

Mr. Daniel from the joint committee reported, that they have performed the duty assigned them, and that His Excellency gave for answer, that he would

lay his communication before the General Assembly on to-morrow in the forenoon.

Mr. Daniel presented two petitions, one from a number of the inhabitants of Clarke county, praying to be added to Madison county, and the other from Oglethorpe county, praying to be added to Madison county, which were read and referred to joint committees from the adjoining counties, consisting of Messrs. Daniel and Lumpkin on the part of Oglethorpe, and Messrs. Daniel and Cook on the part of Clarke, to confer with a committee from the House of Representatives on that subject.

On motion of Mr. Lane,

Resolved, That a committee be appointed to examine the engrossed Journal of Senate.

Ordered, That Messrs. Lane, Foster, Pyles and Blackmon be that committee.

Adjourned 'till 10 o'clock to-morrow morning.

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WEDNESDAY, 3d November, 1813.

Mr. Walker notified the Senate that he will to-morrow move for a committee to be appointed, to prepare and report a bill to be entitled an act, to repeal an act, entitled an act, to alleviate the condition of Debtors, passed at Milledgeville on the 27th November, 1812.

He also notified the Senate that he should on to-morrow move for leave to bring in a bill to be entitled an act, to authorise the Sheriffs and Clerks in this state to discharge the duties of their respective offices until successors shall have been appointed.

On motion of Mr. Lane,

Resolved, That a committee be appointed to enquire into the expediency of passing a law during the present session to alleviate the Condition of Debtors

Ordered to lie on the table.

Mr. Jones notified the Senate, that he will to-morrow move for leave to bring in a bill to amend an act, entitled "an act, to point out the mode for the collection of rents," passed the 16th December, 1811.

A message from the House of Representatives by Mr. Clayton their clerk ;

Mr. President ;

The House of Representatives have agreed to the resolution on the subject of the Adjutant General, with an amendment—and he withdrew.

The Senate took up the message, and the amendment being read, was concurred in, in the words following ;

"Provided the Adjutant General shall pay the said assistant for his services out of his salary already provided for him by law."

On motion of Mr. Dooly,

Resolved, That the salary of the Governor of this state be fifteen hundred dollars per annum, to be paid quarterly—and the said resolution being again read,

On motion,

Ordered, that the same do lie on the table—and on the question to agree to the same, it was determined in the affirmative, and the yeas and nays being required, are Yeas 22—Nays 16.

Those who voted in the affirmative, are Messrs. Battel, Blackmon, Blair, Byne, Fannin, Fort, Foster, Fulwood, Hardee, Lane, Lumpkin, Nesbit, Piles, Pray, Rawles, Scruggs, Spalding, Tal-

bot, Walker, Watts, Watkins and Winn

Those who voted in the negative are Messrs. Alston, Baker, Cook, Daniel, Dooley, Fulgham, Hatcher, Irwin, Jones, Little, Montgomery, Newsom, Pope, Powell, Swain and Wood

A message from the House of Representatives by Mr. Clayton their Clerk Mr. President

The House of Representatives have concurred in the resolution from Senate appointing Thursday next at 12 o'clock for the election of a Governor of this state, and he withdrew.

A message from His Excellency the Governor, by his Secretary Mr. Porter, which was received and read, and is as follows :

Executive Department, Georgia,  
Milledgeville, 1st November, 1813

Fellow Citizens of the Senate,  
and of the House of Representatives.

The period at which you are now assembled is, in my opinion, the most important of any which has occurred since the establishment of our independence engaged as we are in hostilities with a nation, the maritime resources and naval power of, which have no parallel in the history of the world, and whose government is as base and corrupt as it is powerful. Accustomed to tyrannize over the ocean, and by her wealth and intrigue to keep one half of Europe cutting the throats of the other half, she flattered herself that the United States would not dare to resist her unfounded claims to maritime supremacy. In this she no doubt derived encouragement, as well from the forbearance manifested by our republican administration, and their known and acknowledged aversion to war and bloodshed, which

she mistook for timidity. as from a conviction of having a party sufficiently powerful in the United States, to control the government if it dared to resist.

This is known to every man who has attended to facts and passing events.

This haughty nation has however been mistaken, as well in the firmness, stability and energy of our government as in the power of the party she relied upon in this country to promote her views, and oppose those of their own government. And here permit me to remark, the contrast between the minority in the British Parliament, and the minority in Congress. In the former they no sooner found that war was declared, than they united with ministers, and by an unanimous vote, declared they would support the war with a view to obtain an honorable peace; in the latter our minority thought of nothing so much as how they were to embarrass the government, & by what means they could defeat their measures. Unaccountable as the fact is, it is nevertheless true; it is no fiction, but established by the public proceedings of the British Parliament, and the Congress of the United States. How shameful for freemen to act thus :—what ! oppose their own government for resisting by force of arms those tyrannic acts of a corrupt and venal ministry, which had for their object, and if submitted to, must have resulted, in placing the United States in a worse condition than they could be as Colonies of the British Crown.

It is not to be inferred that I admit, that because the minority in the British Parliament pledged themselves to support the war until an honorable peace

could be obtained, that the British Ministry might not procure such a peace with our government; that is an object which has been, I venture to say, at all times within their reach. Our government has manifested an anxious desire of terminating hostilities by a peace honorable to both parties; and if the British Cabinet had been as sincerely disposed for peace, the war would never have commenced, neither would it have continued to this day. But it is evident to the whole world, that peace is not the object of the enemy, unless accompanied by a surrender of those rights on our part, which would entail infamy and disgrace upon us and our country forever. The pledge of the minority in the British Parliament is therefore the more remarkable, and makes the contrast between their conduct and the minority in Congress the more striking, since our object has been uniformly before the war to preserve peace, and since to obtain it; whilst the enemy has had no other object but to find pretexts for evading a compliance with our just demands, and provoking us by new aggressions, whilst professing a disposition to do justice. If the just principles upon which the war was commenced were insufficient to produce equal unanimity amongst us to that which appears to have prevailed in the British Parliament, can the minority not find in the conduct of the enemy at Hampton and elsewhere, motives sufficiently powerful to stimulate them to unite with the majority, and by a bold and manly effort inflict merited chastisement upon the authors of such barbarous and brutal wrongs? I venture to pronounce, that he who cannot, and who at the same time claims to be

an American, is a cold blooded traitor.

At the commencement of the present contest, our old revolutionary heroes had nearly all dropt off the stage of life, and from our long habits of peace, the handful of troops kept on our frontier had afforded but little opportunity for the display of military genius. Our Navy also was, as it were, in a state of infancy; yet with this handful of force, were we compelled in defence of our inestimable rights to encounter, as I have before observed, the most powerful and at the same time the most abandoned government that ever tyrannized over any country.

Notwithstanding this apparent disparity of force, yet with our numerous and brave population, and a country abounding in all the resources necessary either for offensive or defensive warfare, we cannot for a moment doubt of our final success. With a little experience in the art of war, which we are gaining daily, our officers and men will soon teach the British legions the difference between the energies of freemen fighting the battles of the Republic, and mercenary slaves contending for injustice & oppression under the orders of a despot. But what shall be said of our Navy—our infant Navy! Its achievements in a relative point of view are unparalleled in the history of any country upon the face of the globe. The enemy with his thousand ships of war has to boast of but two triumphs over it, whilst we can claim almost as many as we have ships. May we not hope that the late victory gained so gallantly by Commodore Perry and his brave associates on Lake Erie, over a superior British fleet, and the command of Lake Ontario now obtained by

he brave Chauncy, will lead to the accomplishment of those events which must ultimately compel the enemy to make peace upon honorable terms or be driven from the continent? I think any will. Our army in those regions will now be able to act with better effect and the blood thirsty savage, paid and instigated to scalp and tomahawk not only our defenceless settlers on the frontier but our unfortunate prisoners, will be checked and restrained.

Whilst we are engaged in a contest for the maintenance of those maritime rights which as an independent nation we claim under the long established principles of general law, or law of nations, we are under peculiar obligation to render the homage of our gratitude and praise to a bountiful Providence for the plenty with which our country abounds in all things necessary for our comfort and convenience? Our farmers and planters raise their own grain; their flocks and herds supply their own beef, bacon and lamb; and their wool and cotton are both fabricated by the industry of the family into cloth for domestic use. Not only so, but a considerable surplus remains, by the disposal of which, sugar and coffee, &c. which by long habit have become in some measure necessities of life, are procured. And the same necessity continuing, we shall add to our independence by the culture of many articles which are at present supplied by importations from abroad. By the efforts of some enterprising individuals in the southern and eastern parts of our state, it has been demonstrated that the sugar cane can be cultivated with success—and our climate and soil are peculiarly

well calculated for producing both wine and oil. Hence our independence of foreign supplies will be ensured, and the American farmer and planter, and those of Georgia particularly, will stand erect, the most independent human beings upon the face of the earth under the restraints of civil society.

Happily for this state, she has been as yet exempt from those malignant scenes of outrage which have marked the progress of the enemy in other parts of the Union; but he and his savage allies to the north, have finally succeeded in changing the aspect of affairs on our Indian frontier. A large proportion of the Creek Indians are in a state of hostility against us. Some families were murdered near the mouth of Ohio in the course of the last summer by a party of Indians passing from the Lakes to the Upper Creeks. The principal Chiefs of the nation, on the application of the Agent, determined to punish the murderers by putting them to death, and a party of warriors was ordered to execute their determination. This was no sooner done than the resentment of the friends of the murderers broke out in acts of open violence against all those who had been in any way concerned in causing the murderers to be put to death. From what has appeared since, it is now very certain, that the Upper Creeks had secretly determined to take part with the northern Indians in the war against the United States, and that the circumstances before mentioned only produced a premature disclosure of their object. A considerable party among the Creeks however preserved their faith to our government, and from them and other sources, I have derived intelli-



gence from time to time, of the plans and movements of the hostile party — By the restrictions of the Federal Constitution, no state can without the consent of Congress, “engage in war unless actually invaded, or in such imminent danger as will not admit of delay.” Hence it was some time after the first discovery of a hostile intention on the part of the Creeks, before I could procure such information as would enable me to act, restrained as the state is, by the Constitution.

At length on the 28th day of July last, I received a written communication from the Chiefs who are at the head of the friendly part of the nation, and immediately thereafter a letter from Col Hawkins as Agent of Indian Affairs announcing that the object of the hostile Indians was, in the first instance the destruction of the friendly ones, and finally an attack upon us; and in Col Hawkins’ letter he stated, that I should consider his communication as “authentic information of a meditated attack.” Thus our situation was brought within the provisions of the Constitution. In the mean time I wrote the Secretary of War, stating the situation of the Indians, and the danger to which our frontier was exposed; but before my letter reached its destination, the General Government, with a promptness and decision that evince a vigilance and attention to duty which claim our warmest approbation, had anticipated our wants; and I received from the Secretary of War a letter authorising the use of 1500 militia from this state against the hostile Creeks. A General Order was immediately issued for preparing the troops, and they were soon after

marched to their late rendezvous on the Ocmulgee river. Circumstances which I deemed important, induced me to enlarge the number to a full Brigade, the command of which, according to established custom and military usage, was rendered to Gen John Stewart as the senior Brigadier, who from domestic considerations declined; and Brigadier General John Floyd was then called upon as the next in seniority, who accepted and is now in command, and with the detachment: And I have the satisfaction of knowing, that the measures I have pursued, and the plan of organization I have adopted have been approved by the President.

The hostility of the Creeks being unexpected by the government, they were in no state of preparation in this quarter for the equipment and supply of such a body of troops, which laid me under the necessity of providing for them, until the United States could have time to do so. For this purpose I advanced from the state fund appropriated for military disbursements, the sums necessary for the Contractor and Quarter Master’s Department, every cent of which has been returned and is now in the Treasury. This advance was indispensable, and occasioned by the necessity that existed for immediately marching the troops to the frontier, to quiet the fears of the people and keep them from breaking up and leaving their homes; and their stay at their rendezvous has been occasioned by the difficulty of procuring the equipments necessary to supply the various wants of so numerous a detachment. In his respect however they are exclusively under the control of the General Government, and their move-

ments regulated by their order — They have now entered the enemy's country, and I trust under Divine Providence they will, aided by the co-operation of other detachments ordered upon the same service, soon subdue the faithless savages, & compel them to unconditional submission. The supplies of ammunition which these hostile savages have received from the Spanish Governor at Pensacola, for the avowed purpose of making war upon us, is a subject, the cognizance of which belongs to the government of the United States; and it is to be hoped, that this secret enemy will no longer be permitted with impunity, under his pretended neutrality, to put into the hands of our enemy, the means of destroying us.

The quantity of ammunition which I have purchased under the provisions of the act of the last Legislature has been considerable. Of powder there has been no difficulty in procuring the quantity required; but it has been more difficult to procure any considerable quantity of lead. A sufficiency has however been obtained for the use of the troops now in the field, and measures taken which will ensure the delivery of a large quantity more at this place, in all the present month.

In addition to the detachment now in the field, other cautionary measures for the safety of the frontier have been resorted to. Some small Forts and Block houses have been built, and spies and scouts have been, and are at this time kept out: And altho' we have occasionally had false reports which have produced temporary alarm, the savages have not dared to approach our settlements; that they have not, has been oc-

casioned, I have no doubt, by our attitude and readiness to punish them on the very first aggression.

Our sea board has also been as yet exempt from annoyance by the enemy. The last Legislature passed a Resolution authorising the Executive to keep six companies of militia in the field, one in each county on the sea-board, but in as much, as I did not perceive the necessity for their service, and they were to be kept at the expence of the state, and that expence would have exceeded the whole amount appropriated for military disbursements, in at least a three-fold degree, I declined calling them out. The result has justified my determination, and the funds of the state, and the lives of the men have been preserved for occasions of real danger. It is nevertheless my opinion that some precautionary measures are at this time necessary. The season has arrived, and will continue for some time, which in our climate, is the most favorable for the operations of a fleet; and as little as possible ought to be put to hazard.

The plan adopted in Savannah, the execution of which is committed to a committee of safety, of keeping vigilant and active persons employed with fast rowing boats at the mouths of the inlets, to give immediate notice upon the appearance of the enemy, and thereby prevent surprise, is undoubtedly as good as any that, under existing circumstances, can be devised; but that alone is insufficient. A competent force ought to be ready to oppose the enemy on his first attempt to land. The most efficient for this purpose, next to that of river craft, armed with heavy pieces of ordnance, I respectfully conceive, will be Artillery.

A battalion of this description of force organized so as to be capable of rapid movements, and stationed at some convenient place near the sea coast for the winter, would be highly useful. They could be moved to some healthful situation in the interior during the summer and fall or they might be permitted to return upon furlough.

Whilst upon this subject, permit me to call your attention to the present state and condition of our militia — They are our great resource for defence until the arm of the Union can be extended to our protection and support. Thirty years experience has taught us that our present plan for their instruction is altogether insufficient; & now that we are in a state of war, it is time to make an effort to profit by that experience. It is with diffidence that I venture to suggest a plan for our improvement in this particular, but so fully am I impressed with the necessity of it, that my diffidence has been overcome by a sense of public duty; and I have therefore prepared a short sketch which is submitted for your consideration in a separate document accompanying this communication.

The shares reserved for the state in the Stock of the Planters' Bank of Savannah were subscribed for, and thirty thousand dollars of the amount paid before the first day of January last; and twenty thousand dollars more was paid to the same object before July following; which two sums make fifty per cent of the whole amount of the Stock reserved for the state, and is all that has yet been called for.

The present situation of our country requiring additional resources for car-

rying on the just and necessary war in which we are engaged, Congress at their late session passed an act laying a direct tax, the proportion of which to Georgia is ninety-four thousand nine hundred and thirty-six dollars and forty nine cents. The act imposing this tax contains a proposition, that the states or either of them may pay their respective proportions into the National Treasury, and that on doing so, they will "be entitled to a deduction of fifteen per centum if paid by the tenth of February next, and of ten per centum if paid before the first day of May in the same year," and to collect the amount in any manner they may think proper. Permit me to recommend the adoption of this proposition, and the passage of a law to give it effect. The state as at this time more than the amount in the Treasury of the United States, and the difficulty which has already been experienced of transporting large sums without incurring considerable expence, will be avoided, the state will gain considerably by the transfer, and the United States will have what is of much importance, the immediate use of the money.

An abstract will be laid before you by the Treasurer which will shew in a clear and explicit manner the present state of our finances: and I have pleasure in stating that they have as yet been amply sufficient for all our wants.

A proposition has been received from the state of N Carolina for altering the Federal Constitution in those parts which provide for the manner of electing representatives in Congress; and of appointing Electors of President and Vice-President of the United States, so that

each state shall by its Legislature be divided into a number of districts equal to the number of representatives and electors to which such state may be entitled, and I now submit it for your consideration.

A list of Executive appointments made during the recess, and which are subject to Legislative interference is herewith submitted.

To the documents accompanying this Communication, permit me to claim your most serious attention. They will more fully and clearly explain the transactions of the Executive for the last political year, than could possibly be done by an address of this kind without going too much into detail. Upon examination I trust it will be found, that a strict adherence to duty, and an honest intent to promote the best interests of the state, have at no time and under no circumstances been departed from.— Having served the state as its Governor for four years in succession, with slender talents it is true, but with a zeal inferior to no one's, and entertaining an opinion that in a government like ours, a rotation in office, particularly the Executive, at reasonable intervals ought to prevail, I take the liberty to decline being considered as a candidate at the approaching election. I am well aware that the present moment is a very unfavorable one for a change, and I should have felt reluctance in making a determination to withdraw, if I had not at the same time felt assured that you had it in your power to obtain the services of a gentleman, whose talents and integrity eminently qualify him for the station, and who is in the full enjoyment of the public confidence.

That the Almighty Ruler of the Universe may protect and defend our beloved country ; that he may enable the people to triumph over all their enemies, and finally that he may bless them with peace, plenty and happiness, is the sincere prayer of your devoted fellow-citizen,

D. B. MITCHELL.

The Senate proceeded to read the documents accompanying the Governor's Communication, & document No. 1 being read, was referred to the committee on the State of the Republic.

Ordered, That the remaining documents do lie on the table.

Mr. Swain notified the Senate that he will on to-morrow move for a committee to be appointed to prepare and report a bill to revise an act, giving further time to the fortunate drawers to out their grants.

Adjourned 'till 10 o'clock to-morrow morning.

—0000000000—

THURSDAY, 4th November, 1813.

Mr. Dooly notified the Senate that he will to-morrow move for leave to report a bill to be entitled an act, to alter the second section of the second article of the Constitution of this state.

Mr. Jones agreeably to notice moved for a committee to be appointed to prepare and report a bill to amend an act, entitled an act, to point out the mode for the collection of rents, passed the 16th December, 1811.

Ordered, That Messrs. Jones, Irwin and Montgomery be that committee.

Mr. Fort notified the Senate, that he will on to-morrow move for a committee to be appointed to join a committee of

the part of the House of Representatives, to prepare and report a bill pointing out a mode for consolidating the funds of this state, and issuing bills of credit, and for other purposes therein contained.

Mr. Walker agreeably to notice reported a bill to be entitled an act, to authorize the Sheriffs and Clerks in this state to discharge the duties of their respective offices until successors shall have been appointed, and for other purposes, which was read the 1st time.

On motion of Mr. Spalding,

Whereas the Legislatures of several states immediately after the glorious capture of the Guerrier, the Macedonian and the Java, returned their thanks to Captain Hull Commodore Decatur, and to Commodore Bannbridge for the results memorable in our history, and

Whereas the period of our meeting affords us an opportunity of rendering the first Legislative tribute to Captain Perry for his most glorious victory on Lake Erie over a superior British force—a victory the most important, and the consequences of which will be more momentous to the United States than any victory which has blessed our arms since the surrender of Cornwallis at York town—a victory, by which we have acquired the undisputed command of the waters of the West, from Lake Erie to the Lake of the Woods, and which has shed a blaze of lustre around our national flag, which no time and no circumstance can extinguish; for neither individual subterfuge nor national vanity can subtract aught from this victory, and even England, that has felt in every contest, must acknowledge in this our superiority:

Be it therefore unanimously resolved by the Senate and House of Representatives in General Assembly met, on the behalf of the people of Georgia, that the thanks of this Legislature and the thanks of this people are due to Captain Perry for his indefatigable exertions in equipping the American fleet on Lake Erie, for his prompt and ready pursuit of the enemy, & for the masterly manner in which he engaged, and the unexampled intrepidity he displayed in bearing his flag from a ruined and overwhelmed ship to be triumphantly displayed upon another: And

Be it further unanimously resolved, That the thanks of this Legislature and of this people are due to the officers and seamen on board of the American fleet for the able support of Captain Perry, by each and every of his officers, and for the cool intrepidity displayed by our gallant seamen, which will consecrate, if any thing was necessary to consecrate, the indelible affection which is born them by their fellow citizens. And,

Be it further unanimously resolved, That His Excellency the Governor be requested to transmit these resolutions to Captain Perry.

A message from the House of Representatives by Mr. Clayton their clerk.

Mr. President;

The House of Representatives have passed a resolution, that they will on Saturday next, proceed to the election of Harbor Master and Health Officer for the port of Savannah; they have amended the resolution appointing Saturday next to elect sundry officers by striking out 12 o'clock and inserting 10 o'clock;

They have concurred in the reso-

ution appointing a joint committee on enrolment, and have appointed a committee on their part ;

They have concurred in the resolution on appointing a joint committee on the State of the Republic, and joined a committee on their part ;

Also in the resolution appointing a joint committee on Finance, and have joined a committee on their part ; and,

Have concurred in the resolution appointing a joint committee to contract for the printing the Laws and Journals of the present session, and have joined a committee on their part—and he withdrew.

The Senate took up the message, and concurred in the amendments ; and in the resolution to proceed on Saturday the election of Harbor Master and Health Officer for the port of Savannah.

Mr. Jones presented a petition from John M'Queen, which was read and referred to a special committee.

Ordered, That Messrs. Jones, Pray and Spalding be that committee.

Mr. Daniel from the committee reported a bill to be entitled an act, to add part of Clarke county to the county of Madison, which was read the first time.

Mr. Walker notified the Senate that he will on to-morrow move for a committee to be appointed to prepare and report a bill to be entitled an act, to amend an act, entitled an act, to regulate marriages in this state, passed the 18th January, 1799.

Mr. Pray notified the Senate that he will to-morrow move for a committee to prepare and report a bill, to be entitled an act, to amend and consolidate the se-

veral militia laws of this state, and to adapt the same agreeably to the laws of the militia of the United States.

On motion of Mr. Jones,

Resolved, That the committee for contracting with a printer for printing the Laws and Journals of the present session be authorised and requested to contract with the printers of Newspapers in Milledgeville to furnish each member of the Senate and House of Representatives with their papers during the session.

Mr. Swain agreeably to notice moved for a committee to prepare and report a bill to revive an act, giving further time to the fortunate drawers to take out their grants

Ordered, That Messrs. Swain, Pope and Baker be that committee.

Mr. Fort notified the Senate that he will on to-morrow move for leave to report a bill to be entitled an act, to divorce Peter Levingston and Penina his wife.

Mr. Newsom notified the Senate that he will on to-morrow move for a committee to prepare and report a bill to be entitled an act, to amend the 9th section of the 3d article of the Constitution of this state.

Mr. Watts notifies the Senate that he will on to-morrow move for a committee to prepare and report a bill to make permanent the site of the public buildings in the county of Telfair.

The Senate again resumed the reading the documents accompanying the Governor's Communication, and

Ordered, that the document on the subject of defence for the sea-coast be referred to the committee on the State of the Republic, and that document on

The proposed amendment to the Constitution of the United States by the Legislature of North-Carolina be also referred to the committee on the State of the Republic; that the document containing a statement of Warrants drawn on the Treasury for the political year, 1813, be referred to the committee on Finance, and the remaining documents do lie on the table.

A message from His Excellency the Governor by Mr. Porter his Secretary  
Mr. President;

I am directed by His Excellency the Governor to inform the Senate that he has approved of and signed a joint resolution to proceed on this day to the election of a Governor of this state—and he withdrew.

A message from the House of Representatives by Mr. Clayton their clerk.

Mr. President;

I am directed by the House of Representatives to inform the Senate that the House is now in readiness to receive them in the Representative Chamber for the purpose of proceeding to the election of Governor of this state, agreeably to a concurred and approved resolution—and he withdrew.

The Senate then repaired to the Representative Chamber, and being seated, both branches proceeded by joint ballot to the election, and on counting out the votes, it appeared that the Hon. Peter Early was duly elected Governor of the state of Georgia.

The Senate repaired to their Chamber and took their seats.

A message from the House of Representatives by Mr. Clayton their clerk.

Mr. President;

The House have passed a resolution

appointing a committee on their part to wait on the Governor elect, and inform him of his election—and he withdrew.

The Senate took up the message and concurred in the resolution, and appointed Messrs. Foster, Daniel and Scruggs the committee on their part.

Adjourned 'till to-morrow morning 10 o'clock.

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FRIDAY, 5th November, 1813.

On motion of Mr. Newsom,

Resolved, That the minutes of yesterday be reconsidered, so far as respects the resolution to contract with a printer to furnish the members of the Legislature each with a paper, and ordered, that the same do lie on the table.

Mr. Battel laid on the President's table an enclosure containing a petition from Edmond Horton, which being read, was referred to the committee to prepare and bring in a bill giving further time to fortunate drawers to take out their grants.

On motion of Mr. Montgomery,

Resolved, That so much of His Excellency the Governor's Communication as relates to Finance, be referred to the committee on Finance.

Mr. Foster from the committee to wait on the Governor elect and inform him of his election reported, that they had waited on His Excellency, who informed them that he had accepted the appointment, and would attend and be qualified on to morrow at 12 o'clock.

Mr. Jones gives notice that he will on to morrow move for a committee to bring in a bill to be entitled an act to alter the uniform of the officers of the

militia of the state of Georgia.

Mr. Fort agreeably to notice moved for a committee to prepare and report a bill to be entitled an act, pointing out a mode for consolidating the funds of this state and issuing bills of credit, and for other purposes therein contained,

Ordered, That Messrs. Fort, Spalding, Walker, Montgomery and Nesbit be the committee on part of Senate.

The bill to be entitled an act, to authorise the Sheriffs and Clerks in this state to discharge the duties of their respective offices until successors shall have been appointed, and for other purposes, was taken up and read the second time.

Ordered for committee of the whole.

The bill to be entitled an act, to add a part of Clarke county to the county of Madison was also taken up and read the second time.

Ordered for a third reading.

On motion of Mr Walker,

Resolved, That Messrs Foster, Daniel and Scruggs the committee appointed yesterday to wait on the Governor elect be authorized and requested to join such committee as may be appointed on the part of the House of Representatives, to make the necessary preparation for His Excellency's inauguration.

Mr. Jones presented a memorial from the committee of the Jail in Savannah which was read and referred to a special committee.

Ordered, That Messrs. Jones, Winn and Hardee be that committee.

A message from the House of Representatives by Mr. Clayton their Clerk.

Mr. President;

The House of Representatives have

passed a resolution appointing a committee consisting of one member from each county, to join any committee from Senate to make such amendments to an act passed at the last Legislature to alleviate the condition of debtors, as they may think necessary ;

They have passed a resolution appointing a committee on their part to join any committee from Senate to take into consideration the propriety of altering that part of the Constitution of this state which requires the annual meeting of the Legislature in such manner as to require their meeting once in every two years, with power to report by bill or otherwise ;

They have passed a resolution appointing a committee on their part to join such committee as may be appointed by the Senate, to prepare and report by bill or otherwise, the electing and convening a Convention for the purpose of revising and consolidating the Constitution of this state ;

They have passed a resolution appointing a committee to join any committee from Senate to examine the militia laws of this state, and that they have power to report by bill or otherwise, such alterations, if any, as they may deem necessary ;

They have added Messrs. Williams, Jackson, Stocks, Glascock and Rutherford to the committee on the State of the Republic ;

They have passed a resolution appointing Thomas Barrett and Frazer and Campbell Vendue Masters for the City of Augusta ;

And they have unanimously concurred in the resolutions approbatory of the victory of Captain Perry on Lake Erie ;



and he withdrew.

The Senate took up the message and concurred in the resolution appointing a joint committee to make such amendments to the act to alleviate the condition of debtors, and appointed Messrs. Irwin, Walker, Foster, Spalding, Fort, Cook and Powell a committee on the part of Senate ;

They concurred in the resolution appointing a joint committee to take into consideration the propriety of altering that part of the Constitution of this state, which requires the annual meeting of the Legislature in such manner as to require their meeting once in every two years, and have joined Messrs. Dooly, Talbot and Battel a committee on their part ;

The Senate have concurred in the resolution appointing a joint committee to prepare and report by bill or otherwise the electing and convening a Convention for the purpose of revising and consolidating the Constitution of this state, and joined Messrs. Cook, Dooly and Jones a committee on their part ;

They have concurred in the resolution appointing a joint committee to examine the militia laws of this state, and report by bill or otherwise such alterations, if any, as they may deem necessary, and have joined on their part Messrs. Pray, Daniel and Byne a committee on their part ;

They concurred in the resolution appointing Vendue Masters for the City of Augusta.

Mr. Dooly agreeably to notice reported a bill to be entitled an act, to alter the second section of the second article of the Constitution of this state, which was read the first time.

Mr. Watts agreeably to notice moved for a committee to prepare and report a bill to make permanent the site of the public buildings of the county of Felfair.

Ordered, That Messrs. Watts, Swain and Fulwood be that committee

Mr. Newsom agreeably to notice moved for a committee to prepare and report a bill to be entitled an act, to amend the ninth section of the 3d article of the Constitution of this state.

Ordered, That Messrs. Newsom, Powell and Cook be that committee.

Mr. Piles notifies the Senate that he will on to morrow move for leave to introduce a bill to alter and amend the several road acts in this state, so far as respects the county of Glynn.

The Senate resolved itself into a committee of the whole on the bill to be entitled an act, to authorize Sheriffs and Clerks in this state to discharge the duties of their respective offices until successors shall have been appointed, and for other purposes ; Mr. Irwin in the chair ; Mr. President resumed the chair and Mr. Irwin reported progress and had leave to sit again.

A message from the House of Representatives by Mr. Clayton their Clerk.

Mr. President,

I am directed to inform the Senate that the House of Representatives are now in readiness to receive them for the purpose of inaugurating the Governor elect ; and he withdrew.

The Senate repaired to the Representative Floor, and being seated, the Governor elect, together with His late Excellency Governor Mitchell, the Judges of the Superior courts, State-House officers and members of Congress were introduced by the joint com-

mittee, and being seated, His Excellency Governor Early delivered the following address.

*Fellow-Citizens of the Senate, and  
House of Representatives.*

Called by the voice of the Legislature to perform the functions of the Executive Department of this Government, I cannot forbear from expressing to you the deep sense I feel for this proof of the public confidence.

The duties of the station at all times important to the community, are at the existing crisis peculiarly arduous, delicate and interesting. And I do most devoutly supplicate Heaven that nothing may be done on my part, contrary to the true interests of this people.

The hopes, the honor, and the happiness of our nation, are staked in a contest with a most formidable foe. In this conflict, the people of Georgia have and feel an interest not inferior to that of any part of the Union. I approach the duties of the Executive Department with a due sense of their increased difficulty and of the high responsibility attached to the trust. I will with sincerity pursue that course which my best judgment shall direct: But that judgment may often err. Error, at all times the portion of human nature, will be rendered more probable with the increase of the public difficulties. The general feelings too, always keep pace with the interesting condition of public affairs. Permit me then to ask of you gentlemen, and of the whole community, the observance of a rule of justice, due to all men, but peculiarly important to those in high trust. It is, not to condemn until the whole ground can be

viewed.

There is one consideration that ought to be borne in constant recollection.— That species of measures now the most interesting to the public mind must, in most cases, be undertaken and prosecuted under the dictation and control of the General Government 'Tis only in cases of actual invasion, or such imminent danger thereof as will not admit of delay, that the state authority is at liberty to act for itself.

In the arduous toils which lie before us, 'tis the duty of us all to unite. Union amongst ourselves will render us formidable to our foe, and crown our labors by the establishment of our just rights. But dissension and feeble counsels will make us the sport of our antagonist and the reproach of the world.

I will now proceed to take the oath of office prescribed by the Constitution.

Whereupon the oath of office was administered to him by the President of Senate.

His Excellency the Governor and attendants having withdrawn, the Senate repaired to their Chamber, and adjourned 'till to-morrow morning half past 9 o'clock.

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SATURDAY, 6th November, 1813.

Mr. Swain from the committee reported a bill to be entitled an act, to revive an act, giving further time to the fortunate drawers to take out their grants, which was read the first time.

On motion of Mr. Alston,

Resolved, That a committee be appointed on the part of Senate, to join

such committee as may be appointed on the part of the House of Representatives, to examine and report the number and quantity of the swords purchased by the late Governor of this state, under a concurred resolution of both branches of the General Assembly, that are now in the arsenal or other apartments of the State-house.

Ord. rd. That Messrs Alston, Daniel and Byne be the committee on part of Senate.

The bill to be entitled an act to add a part of Clarke county to the county of Madison was taken up, read the third time and passed

Agreeably to notice, Mr. Jones moved for a committee to prepare and report a bill to be entitled an act, to alter the uniform of the officers of the militia of the state of Georgia.

Ordered, That Messrs Jones, Byne and Daniel be that committee

A message from His Excellency the Governor by Mr. Porter his Secretary.

Mr. President ;

I am directed by His Excellency Governor Early to inform the Senate that he has approved of and signed a resolution which originated in this branch of the Legislature on the 2d inst. stating that both branches of the Legislature will proceed by joint ballot on Saturday next, at ten o'clock in the Representative Chamber, to the election of a Senator to the Congress of the United States, in the place of the Honorable William H. Crawford resigned ; the several Judges of the Superior courts Attorney General, and the several Solicitor Generals—and he withdrew

A message from the House of Representatives by Mr. Clayton their Clerk.

Mr. President ;

I am directed by the House of Representatives to inform the Senate that the House of Representatives are now in readiness to receive them for the purpose of proceeding to the several elections agreeably to a concurred and approved resolution, originating in the Senate on the 2d inst.—& he withdrew.

The Senate then repaired to the House of Representatives, and being seated, both branches proceeded by joint ballot to the election of a Senator in place of the Honorable William H. Crawford resigned, and on counting out the ballots, it appeared that the Hon. William W. Bibb was duly elected.

They then proceeded to the choice of a Judge for the Eastern Circuit, and on counting out the ballots, it appeared that the Honorable John M. Berrien was re-elected.

They also proceeded to the choice of Judge for the Middle Circuit, and on counting out the ballots, it appeared that the Honorable Robert Walker was re-elected.

They also proceeded to the choice of Judge for the Western Circuit, and on counting out the votes, it appeared that the Honorable Young Gresham was re-elected.

They also proceeded to the choice of Judge for the Ocmulgee Circuit, and on counting out the votes, it appeared that Stephen W. Harris, esquire, attorney at law, was duly elected.

They then proceeded to the choice of Attorney General for this state, when counting out the votes, it appeared that Alexander Allen of the Middle Circuit, attorney at law, was duly elected.

They also proceeded to the choice of

Solicitor General for the Eastern Circuit, and on counting out the ballots, it appeared that Joseph S. Pelot, esq. was duly elected.

They also proceeded to the choice of Solicitor General for the Western District, and on counting out the votes, it appeared that Thomas W. Cobb was unanimously elected, having no opposition.

They also proceeded to the choice of Solicitor General for the Ocmulgee Circuit, and on counting out the votes, it appeared that Abednego Franklin, esq. was re-elected—and,

They proceeded to the choice of Health Officer and Harbor Master for the City of Savannah, and on counting out the votes, it appeared that Dr. Reuben S. Saffold was elected Health-Officer and Robert Grier, esq. Harbor Master for the Port of Savannah.

The Senate then repaired to their Chamber and took their seats.

A message from His Excellency the Governor by Mr. Porter his Secretary.

Mr. President ;

His Excellency the Governor has approved of and signed a resolution originating in this branch, stating that the services of the Adjutant General of the State are necessarily required with the troops from this state, now in the service of the United States during their expedition against the hostile Indians, &c. —and he withdrew.

The Senate then adjourned 'till 10 o'clock Monday morning.

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MONDAY, 8th November, 1813.

On motion of Mr. Spalding ;

Whereas the murders that have been committed in Morgan county, have instructed us in the species of warfare that the Indians intend against us, namely, a predatory war upon our frontier, throughout its whole extent, to meet which effectually, while our troops are carrying on offensive operations in the heart of the Indian tribes, it will be necessary to establish a line of posts consisting of Block houses, united by stockades, at from twenty to twenty five miles distance, with fifty men in each, aided by twenty-five or thirty mounted men, who may scour the intermediate space.

Be it therefore resolved, That His Excellency the Governor be requested to cause to be erected a line of posts at such points, & at such distances as may be deemed necessary, extending from Franklin county to the county of Camden—*provided*, they be not above twenty-five miles apart—and that he receive volunteers enough to furnish fifty infantry with thirty mounted men to each post, for the purpose of intercepting their approach to, and cutting off their retreat from our settled country, which resolution being again read, was ordered to lie on the table.

A message from the House of Representatives by Mr. Clayton their Clerk.

Mr. President ;

The House of Representatives have passed a resolution appointing Vendue Masters for the town of Milledgeville ;

They have passed a resolution authorising the Governor to have the Constitution of the state of Georgia, with the several amendments, printed & annex-

ed to the laws that may be passed at the present session;

A resolution appointing a Trustee of Nelson Academy in Oglethorpe county;

A resolution appointing a Notary Public for the county of Richmond;

A resolution requesting information from the Executive relative to the proceedings on the bond of Adams and Duyckinck, printers;

A resolution appointing a Commissioner for the Academy of Effingham;

A resolution appointing a Vendue Master for the town of Greensborough;

A resolution appointing a Notary Public for the county of Chatham;

A resolution referring the document for training the militia to a joint committee, to report by bill or otherwise;

And they have passed a resolution for printing five hundred copies of the Governor's Communication with the most important documents.

They have added Mr. Lumpkin to the joint committee to report a bill to revise and consolidate the Constitution

The Senate took up the message, and the several resolutions therein contained were severally read and concurred in, except the resolution to print the Governor's Communication with the documents, which was disagreed to.

Mr. Jones agreeably to notice reported a bill to be entitled an act, to provide a more easy mode for the recovery of rents in the City of Savannah and the precincts thereof, and for other purposes, which was read the first time.

Mr. Newsom from the committee reported a bill to be entitled an act, to amend the 9th section of the 3d article

of the Constitution of this state, which was read the 1st time.

Mr. Scruggs notified the Senate that he will on to-morrow ask leave to report a bill to be entitled an act to alter and amend the terms of holding the Superior courts in the counties of Bryan, Effingham and Bulloch, and for other purposes

Ordered, that the Morgan member have leave to be absent from Senate until Thursday next.

Mr. Jones agreeably to notice introduced a bill to be entitled an act, to alter the uniform of the officers of the militia of the State of Georgia, which was read the first time.

Ordered, That Mr. Little be added to the committee on the State of the Republic.

The following bills were taken up and read the 2d time, viz.

A bill to be entitled an act to alter the 2d section of the 2d article of the Constitution of this state, and

Ordered for committee of the whole.

A bill to be entitled an act, to revive an act, giving further time to the fortunate drawers to take out their grants.

Ordered for committee of the whole.

The Senate again resolved itself into a committee of the whole on the bill to be entitled an act, to authorise the Sheriffs and Clerks in this state to discharge the duties of their respective offices until their successors shall have been appointed, and for other purposes—Mr. Irwin in the Chair—Mr. President resumed the Chair, & Mr. Irwin reported that they had gone through the bill and made amendments.

The Senate took up the amendments which were read, and on motion of Mr

Dooly, that the following amendment be inserted— Provided the aforesaid Clerks, Sheriffs, Coroners and county Surveyors give bond and security for their good conduct while they remain in office, to be approved of by the Inferior courts of the several counties, and also for their acts legalized by this act

Whereupon the said bill was read the third time and passed under the title of a bill to be entitled an act, to authorise the Sheriffs, Clerks, Coroners, & county Surveyors in this state to discharge the duties of their respective offices, until successors shall have been appointed and qualified, and for other purposes.

Mr. Swain notified the Senate that he will on to-morrow ask leave to report a bill to repeal an act, compelling Clerks of this state to keep their offices within one mile of the Court-houses, so far as respects the county of Emanuel, and to make permanent the line now marked out between the county of Bulloch and Emanuel, and to repeal an act, authorising the Surveyor of Montgomery county to run said line.

On motion of Mr. Blackmon,

Resolved, That His Excellency the Governor be authorised and requested to send on to the Major Commandant of the county of Tatnall, for the use of his battalion forty stand of arms from the public arsenal at this place, and the Major Commandant shall be authorised to contract with some proper person to make the necessary repairs on the said arms, at the expense of the state, taking his receipt for the same.

Mr. Dooly notified the Senate that he will to-morrow move for leave to report a bill, to compel the Grand and Pe-

tit jurors drawn and summoned to serve at the October term of the Superior court for the county of Lincoln, to serve at the next term of the Superior court for said county.

The following Communication was received from His Excellency the Governor, by his Secretary Mr. Porter;

Executive Department, Georgia, }  
Milledgeville, 8th Novem'r, 1813 }  
*To the Senate and*  
*House of Representatives.*

I beg leave to make known to the Legislature, that I have received information of an attack made by a party of Indians on the 6th instant, on two families residing on the frontier of Morgan county in this state, and of the murder of seven persons, together with the conflagration of a dwelling house. Two other persons are stated to be mortally wounded.

Immediately on the receipt of this intelligence, I issued orders to Lieutenant Col. Franklin of the Cavalry, who was then in town, to repair to that county and adopt immediate measures of defence by ordering out the company of Cavalry there, and to take such other measures as circumstances might warrant or justify, within the limits of his power and under his control; and to make immediate report to me of the circumstances of the case generally. Colonel Franklin is probably by this time at the scene of the atrocious mischief, and I calculate upon hearing from him to-morrow morning. Lieut. Col. Harrison, also of the Morgan county militia, has repaired to his post, and will, when there, take such other steps as circumstances may require.

I have caused to be sent off to the counties of Morgan and Clarke a supply of the public arms, together with ammunition; and provision is now making to supply with the requisite ammunition, all the counties on our Indian frontier. Of arms, we have no more fit for use at the seat of Government.

I shall without delay, take such further steps as shall appear to be calculated to prevent a repetition of these barbarities, and to secure as far as within my power, the peace of our frontier settlements.

*PETER EARLY.*

Which being read, was referred to the committee on the State of the Republic.

The Senate adjourned 'till to-morrow morning 10 o'clock.

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TUESDAY, 9th November, 1813.

Mr. Dooly from the committee on the State of the Republic,

REPORTED ;

Your committee on the State of the Republic to whom was referred the Governor's Communication relative to the late depredations committed by the hostile Indians on the frontier of Morgan county beg leave to report, that they have examined said Communication, and are gratified in saying, they highly approve of the vigilance evinced by His Excellency the Governor in adopting speedy measures for the protection and security of that part of the frontier invaded. They also approve of the distribution of the public arms, and the provision making for the fur-

nishing the frontier counties in general with ammunition.

Ordered, that the report do lie on the table.

On motion of Mr. Battel,

Resolved, That Thomas H. Kenan be, and he is hereby appointed a Notary Public for the county of Baldwin.

Mr. Scruggs agreeably to notice introduced a bill to be entitled an act, to alter and amend the times of holding the Superior courts in the counties of Bryan, Effingham and Bulloch, and for other purposes, which was read the 1st time.

Mr. Newsom notified the Senate that he will on to-morrow move for a committee to be appointed to prepare & report a bill to be entitled an act, to revise, amend and consolidate the several patrol laws now in force in this state.

On motion of Mr. Daniel,

Resolved, That William Telman be, and he is hereby appointed a Commissioner of the Madison county Academy in place of George Christian removed, and that John M'Curdy, Giles Harris, George Hudson and Dabney Gholson be, and they are hereby appointed Commissioners of the said Academy in addition to those heretofore appointed.

Mr. Cook from the committee on Privileges and Elections reported, that they have examined the returns of the members from the several counties, and find them duly certified according to law.

The Senate again took up the resolution of Mr. Spalding, on the subject of a line of posts of Block-houses from Franklin to Camden counties, which was read,

And on motion of Mr. Daniel,

That from the preamble be stricken out, and the following instituted in lieu thereof:

Be it therefore resolved, That His Excellency the Governor cause to be built Block-houses united by stockading, at such points on the frontier of this state, or in advance as he may deem advisable, for the security and protection of the frontier inhabitants, and that he cause to be stationed at each Fort or Garrison, such number of militia as he may from time to time deem necessary, which was agreed to.

Mr. Jones then moved that the following be inserted as the last clause of the resolution.

And that he be requested to apply to the government of the United States for subsistence for the men called out under his authority, and in the mean time, that he do cause the necessary rations to be furnished which was also agreed to.

Whereupon the resolution was read as amended, agreed to, & is as follows;

Whereas the murders that have been committed in Morgan county, have instructed us in the species of warfare that the Indians intend against us, namely, a predatory war upon our frontier, throughout its whole extent—to meet which effectually, while our troops are carrying on offensive operations in the heart of the Indian tribes, it will be necessary to establish a line of posts consisting of Block-houses, united by stockades on the frontier, or in advance as the Executive may think expedient to order;

Be it therefore resolved, That His Excellency the Governor cause to be built, Block-houses united by stock-

ading at such points on the frontier of this state, or in advance as he may deem advisable, for the security and protection of the frontier inhabitants, and that he cause to be stationed at each Fort or Garrison, such number of militia as he may from time to time deem necessary: And that he be requested to apply to the government of the United States for subsistence for the men called out under his authority, and in the mean time, that he do cause the necessary rations to be furnished.

On motion of Mr Daniel,

Resolved, That His Excellency the Governor be, and he is hereby authorised to call out any portion of the militia or Cavalry of this state, to be employed in any part of the Indian territory as occasion may require, or as he may think expedient, to chastise the violent aggressions already committed on our borders, or which may hereafter be committed by them.

Ordered to lie on the table.

Mr. Watts agreeably to notice introduced a bill to be entitled an act, to make permanent the site of the public buildings for the county of Telfair, which was read the 1st time.

Mr. Battel laid on the President's table an enclosure containing the Treasurer's Abstract, which was referred to the committee on Finance.

Ordered, That the member from Telfair county have leave to be absent from Senate for eight or ten days.

Mr. Fulgham presented a petition from W. S. Langston, which was read and referred to Messrs. Fulgham, Hatcher and Fulwood, a special committee to report thereon.

Mr. Jones reported by leave, a bill,



to be entitled an act, to increase the fees for the maintenance of prisoners confined in the Jail of Chatham county, to compel the giving of security for the fees and maintenance of insolvent debtors, also securing the fees for the maintenance of criminals sent from adjacent counties, and also to increase the compensation for apprehending and bringing to said Jail, runaway slaves, which was read the 1st time.

Mr. Piles agreeably to notice introduced a bill to be entitled an act, to amend an act, regulating roads in this state, so far as respects the county of Glynn, which was read the 1st time.

Mr. Foster notified the Senate that he will on Thursday next, move for the appointment of a committee to report a bill to be entitled an act, authorising the Executive of this state to pay over to the General Government, this state's proportion of the direct tax out of the funds of this state.

Mr. Daniel notifies the Senate that he will on to-morrow move for the appointment of a committee to prepare and report a bill, to amend the several road acts now in force in this state.

A message from the House of Representatives by Mr. Clayton their Clerk.

Mr. President ;

The House of Representatives have passed a resolution requiring a joint committee to take under consideration and make enquiry in several cases where certain duties were required of the Governor by the last Legislature of this state ;

They have appointed a joint committee on their part, to take into consideration the petition of sundry inha-

bitants of the town of Washington, in the county of Wilkes, and report thereon ;

They have passed a resolution appointing Thomas Dawson a Notary Public for the county of Greene and town of Greensborough ;

They have added Mr. Atkinson to the committee on the State of the Republic ;

And they have concurred in the resolution appointing a joint committee to bring in a bill for the consolidating the funds of this state, &c. with an amendment—strike out “ and issuing bills of credit ”—and he withdrew.

The Senate took up the message, & concurred in the resolution appointing a joint committee to make enquiry in cases where certain duties were required of the Executive by the last Legislature, & joined on their part, Messrs. Cook and Jones ;

They have concurred in the joint committee on the petition of sundry inhabitants of the town of Washington, and added Messrs. Talbot and Walker a committee on their part ;

Concurred in the resolution appointing a Notary Public for the town of Greensborough ;

And agreed to the amendment made to the resolution to consolidate the funds of this state.

The following bills were severally read the 2d time.

A bill to be entitled an act, to amend the 9th section of the 3d article of the Constitution of this state.

Ordered for committee of the whole.

And a bill to be entitled an act, to alter the uniform of the officers of the militia of the state of Georgia.

Ordered for committee of the whole.

The Senate resolved itself into a committee of the whole on the bill to be entitled an act, to revive an act, giving further time to the fortunate drawers to take out their grants—Mr. Talbot in the Chair—Mr. President resumed the Chair, and Mr. Talbot reported progress and had leave to sit again.

Adjourned 'till to-morrow morning 10 o'clock.

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WEDNESDAY, 10th November, 1813

Mr Dooly from the committee on the State of the Republic

**REPORTED:**

The committee on the State of the Republic to whom was referred the resolutions of the state of North-Carolina, on the subject matter of each state concurring in recommending to our Senators in the Congress of the United States, and our Representatives be requested to endeavor to obtain an amendment to the Constitution of the United States, so far as respects laying off the several states in the United States in Congressional and Electoral districts—

Your committee beg leave to report the following resolution;

Resolved, That the Legislature of the state of Georgia disapprove of the amendments proposed by the Legislature of the state of North-Carolina to the Constitution of the United States.

Ordered to lie on the table.

Mr. Lane notified the Senate that he will on to morrow introduce a bill to be entitled an act, to prevent per-

sons from trespassing on land, cutting down and destroying the timber thereon growing.

Mr. Fulgham notifies the Senate that he will on to morrow move for leave to introduce a bill to be entitled an act, to amend an act, entitled an act, to amend an act, to make permanent the scite of the public buildings in the town of Hartford, in the county of Pultaski.

Mr. Blackmon notifies the Senate that he will to morrow move for the appointment of a committee to prepare and report a bill, compelling citizens of the different counties in this state as well as citizens of other states who do now, or hereafter may own lands in the counties of Tatnall, Montgomery, Emanuel, Bulloch and Scriven by themselves, agents or trustees, to give in and pay taxes in the different counties where their lands may lie.

Mr. Walker introduced a bill to be entitled an act, to amend an act, entitled an act, to regulate attachments in this state, passed the 18th day of Feb. 1799, which was read the first time.

Mr Spalding notifies the Senate that he will on to-morrow introduce a bill to be entitled an act, to invest the United States with the right of soil of a certain tract of land extending from Goose creek on the Altamaha, to a point opposite Hartford on the Ocmulgee, and extending from the Western shore of the said river to five miles therefrom, including all its various meanderings, whenever the said tract or territory shall be obtained from the Indians, for the purpose of retaining for the use of the Navy of the United States at all times a sufficient quantity

of pine timber.

The following bills were taken up and read the 2d time to wit :

A bill to be entitled an act, to make permanent the site of the public buildings for the county of Telfair.

Ordered for committee of the whole.

A bill to be entitled an act, to alter and amend the times of holding the Superior courts in the counties of Bryan, Effingham and Bulloch, and for other purposes

Ordered for committee of the whole.

A bill to be entitled an act, to amend an act, regulating roads in this state, so far as respects the county of Glynn.

Ordered for committee of the whole.

And a bill to be entitled an act, to increase the fees for the maintenance of prisoners confined in the Jail of Chatham county, &c

Ordered for committee of the whole.

The Senate resolved itself into a committee of the whole on the bill to be entitled an act, to alter the uniform of the officers of the militia of the state of Georgia—Mr. Fort in the chair—Mr. President resumed the Chair, and Mr Fort reported progress and had leave to sit again.

The Senate resolved itself into a committee of the whole on the bill to be entitled an act, to amend the ninth section of the 3d article of the Constitution of this state—Mr. Daniel in the Chair—Mr. President resumed the Chair, and Mr Daniel reported that they had gone through the bill and made no amendments

The Senate took up the report, which was agreed to.

Whereupon the bill was read the 3d time, and on the question, shall this

bill now pass, it was determined in the negative, and the yeas and nays being required, are Yeas 18—Nays 18.

Those in the affirmative, are Messrs. Baker, Blackmon, Blair, Cook, Fulwood, Hardie Irwin, Nesbit, Newsum, Piles, Pope, Powell, Pray, Rawles, Swain, Talbot, Walker and Wood.

Those in the negative, are Messrs. Alston, Battel, Byne, Daniel, Dooly, Fort Foster, Fulgham, Hatcher, Jones, Lane, Little, Lumpkin, Montgomery, Scruggs, Spalding, Watkins & Winn.

There being a constitutional majority required, the bill was lost.

The Senate resolved itself into a committee of the whole on the bill to be entitled an act, to alter the second section of the second article of the Constitution of this State—Mr. Cook in the Chair—Mr. President resumed the Chair, and Mr Cook reported that having gone through the bill, made no amendment

The Senate took up the report, which was agreed to.

On motion of Mr. Irwin,

Resolved, That our Senators and Representatives in the Congress of the United States be, and they are hereby particularly requested to use their influence to have the law of Georgia for 1814 regulating the fees of the Health Officers and Harbor Masters for the ports of Savannah and St. Mary's sanctioned for two years from the end of the next session of Congress; that being the expiration of the time prescribed by a previous sanction

Ordered to lie on the table.

Mr. Dooly presented a petition from Ezekiel Dubose, which was read and referred to a special committee.

Ordered. That Messrs. Dooly, Talbot and Walker be that committee

Mr Fulgham from the committee introduced a bill to be entitled an act, to authorize William S. Lancaster of the county of Pulaski to establish a ferry on the Ocmulgee river at the town of Hartford in the said county of Pulaski.

Mr. Jones presented a petition from William Wightman, of South Carolina, which being read was refered to a special committee.

Ordered, that Messrs. Jones, Pray and Scruggs be that committee.

Mr. Spaulding from the committee to whom was refered a resolution of the Senate directing enquiries from the Representatives in Congress and other sources on the subject of monies in the Treasury of the United States, derived from the sales of lands in the Mississippi Territory,

#### REPORTED,

That they find the sum remaining in the Treasury from this source to be fifty-four thousand one hundred and twelve dollars and fifty-five cents, which sum your committee beg leave to recommend be united to such other funds as may be in the power of the Legislature to meet the direct tax due by this state to the United States.

Ordered, that the report be refered to the Committee on Finance.

The Senate took up the report of the Committee on the State of the Republic on the Governor's Communication.

On motion of Mr. Montgomery,

Resolved, that the report be amended to read in the words following :

The Committee on the State of the Republic to whom was refered the Governor's Communication relative to the late depredations committed by the hostile Indians on the frontier of Morgan county, beg leave to

#### REPORT,

That they have examined said communication and are gratified in saying, they highly approve of the vigilance evinced by His Excellency the Governor in adopting speedy measures for the protection and security of that part of the frontier invaded: They also approve of the distribution of the public arms, and the provision making for furnishing the frontier counties in general with ammunition: But as experience has taught us, that the most effectual means of defending our frontier against the incursions of our present insidious and artful foes, is by carrying slaughter and devastation into their own country; And whereas the want of provision and means of transportation will tend very much to retard the progress of the army from Georgia at present in the field, and almost inevitably prevent either them or the army from Tennessee from attacking and destroying the Oakesuskee or Upper Waring Creek towns;

Resolved, That it is the opinion of your committee, that some active, vigilant officer, who may be acquainted with the Indian mode of warfare, may be tolerated and authorised by His Excellency the Governor to raise by voluntary enrolment or tender of services, a number of mounted Rifle or musket men, not less than 500 nor more than 1000; each furnishing his

own arms and provisions, if convenient (it not by the public) for a term not less than fifteen nor more than thirty days, after they shall have arrived at the place of rendezvous, for the purpose of destroying the upper and most adjacent Warring Creek towns, and that the expence of the expedition be paid out of the Treasury of this state, from monies which may be set apart for military disbursements.

A message from the House of Representatives by Mr. Clayton their Clerk ;

Mr. President ;

The House of Representatives have appointed Allen B. Powell, esquire a Commissioner of the Wayne county Academy in place of Benjamin Liles, esq. removed out of the county ; and,

A resolution appointing Miles Gathwright and James Ware Commissioners of public buildings for the county of Twiggs, in place of John Harden and Lovet B. Smith, esquires, resigned ;

They have passed a resolution on the petition of Mager Henderson ;

They have passed a bill to be entitled an act, for the relief of John Boog , and,

An act to add a part of Clark county to Oglethorpe county ;

And have concurred in the resolution to form posts of Block-houses on the frontier, from Franklin to the county of Camden—and he withdrew.

Ordered that the message do lie on the table

Mr. Battel gives notice that he will on to morrow move for a committee to prepare and report a bill to be entitled an act, requiring the Judge of the Oc-

mulgee district, to hold an extra term of the Superior court in the county of Baldwin, and to compel the Grand & Petit Jurors already drawn, to serve at said term

Mr. Daniel agreeably to notice moved for a committee to prepare and report a bill to be entitled an act, to amend the several road acts now in force in this state.

Ordered, That Messrs. Daniel, Foster and Rawles be that committee.

Mr Daniel notifies the Senate that he will on to-morrow move for the appointment of a committee to prepare and report a bill, to be entitled an act, to establish an uniform mode of calculating interest in this state.

Adjourned 'till 10 o'clock to-morrow morning.

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THURSDAY, 11th Nov. 1815.

Mr. Powell moved for the re-consideration of the minutes of yesterday, relative to the passage of the bill to amend the ninth section of the third article of the Constitution of this state, & the said bill do lie on the table. and on the question to agree, it was determined in the negative, and the yeas and nays being required, are Yeas 17—Nays 19.

Those in the affirmative are Messrs Baker, Blackmon, Blair, Cook, Fulwood, Hardie, Irwin, Nesbit, Newsom, Piles, Pope, Powell, Swain, Talbot, Walker and Wood.

Those in the negative, are Messrs. Alston, Battel, Byne, Daniel, Dooly, Fort, Foster, Fulgham, Hatcher, Jones, Lane, Little, Lumpkin, Montgomery,

Pray, Scruggs, Spalding Watkins and Winn.

Mr. Foster presented a petition from Nathaniel Dunn, which was read and referred to a special committee.

Ordered, That Messrs. Foster, Byne and Newsom be that committee.

Mr. Scruggs notifies the Senate that he will on to-morrow ask leave to report a bill to be entitled an act, to regulate wood measurers in the City of Savannah, to alter the mode of appointing wood measurers for that City and for other purposes.

On motion of Mr. Dooly,

Resolved, That Samuel Davis, esquire, be, and he is hereby appointed Commissioner of the Academy of Lincoln, county in place of Gibson Clark, esq. removed.

Mr. Spalding presented a petition from the Commissioners of the Academy of Glynn and M'Intosh counties, which was read and referred to a special committee.

Ordered, That Messrs. Spalding, Hardie and Winn be that committee.

Mr. Newsom agreeably to notice moved for a committee to prepare and report a bill to be entitled an act, to revise, amend and consolidate the several patrol laws now in force in this state.

Ordered, That Messrs. Newsom, Alston, and Blackmon be that committee.

On motion of Mr. Pray,

Resolved, That the committee of Finance be instructed to enquire into, and ascertain the amount of the different funds that will be at the disposal

of the present Legislature, after payment of the direct tax due by this state to the United States.

A message from the House of Representatives by Mr. Clayton their Clerk ;

Mr. President ;

The House of Representatives have passed a resolution appointing Richard Walker, esq. Commissioner of the Court-house and Jail for the county of Wayne, in place of Benjamin Liles, esq. removed ;

They have appointed Charles M'Kennon and James A. Rogers, esqrs. Commissioners of the Academy of Telfair county, to fill the vacancies of Benjamin G. Cray and Tho's Mitchell ;

They have appointed a joint committee consisting of the members of Wilkes, Greene, Hancock, Warren & Oglethorpe, to join a committee from Senate, to report on a petition from these several counties ;

And a joint committee consisting of the members of Warren and Columbia, to join a committee from Senate, to report on a petition from those counties ;

They have passed a resolution appointing John R. Brown a Notary Public for the county of Franklin and Village of Carnesville ;

They have concurred in the resolution appointing a Notary Public for the county of Baldwin ;

In the resolution requesting His Excellency the Governor to deliver to the Major Commandant of Tatnall county, forty stand of arms ;

And in the resolution appointing commissioners of Madison county A-

cademy;

They have passed two resolutions appointing Miles Gathwright and Jas Ware Commissioners of public buildings in Twiggs,

And Allen B. Powell Commissioner of Wayne Academy ;

And passed two bills, one for the relief of John Boog and one to add a part of Clarke to Oglethorpe county

The Senate took up the message from the House of Representatives, and concurred in the resolution appointing John R Brown Notary Public for the county of Franklin ;

In the resolution appointing Charles M'Kennon and James A. Rogers Commissioners of the Academy of Telfair county ;

In the resolution appointing Richard Walker Commissioner of the Court-house and Jail in Wayne county ;

In the resolution appointing Allen B. Powell a Commissioner of Wayne county Academy ;

And in the resolution appointing Miles Gathwright and James Ware Commissioners of public buildings for the county of Twiggs ;

In the joint committee on the petition of the inhabitants of Wilkes, Greene, Hancock, Warren and Oglethorpe, and joined on their part, the members of Senate from those several counties ;

Also in the joint committee on the petition of the inhabitants of Warren and Columbia, and joined on their part, Messrs Foster and Newsom.

And the said several bills were read the first time.

Mr. Battel presented a petition from

a number of the citizene of Hancock county, which was read and referred to the members of Hancock and Baldwin counties.

Mr. Pray presented a petition from B. M'Kinnie, which was read and referred to Messrs Pray, Fort & Jones, a special committee to report thereon.

Mr. Montgomery notified the Senate that he will on to-morrow move for leave to introduce a bill, to legalize a certain description of grants issuing from the proper authorities of this state.

Mr Jones notified the Senate, that he will on to-morrow move for leave to bring in a bill to explain and amend an act, entitled an act, establishing the fees of the Harbor Master and Health Officer of the ports of Savannah and St. Mary's.

Mr Battel notified the Senate that he will ask leave to introduce a bill entitled an act, to give further powers to the Commissioners of the town of Milledgeville.

The following bills were read the second time.

A bill to be entitled an act, to authorise William S. Lancaster, of the county of Pulaski, to establish a ferry on the Ocmulgee river at the town of Hartford in the county of Pulaski.

Ordered for committee of the whole.

And a bill to be entitled an act, to amend an act, entitled an act, to regulate attachments in this state, passed the 18th day of February, 1799.

Ordered for committee of the whole.

The Senate resolved itself into a committee of the whole on the bill to be entitled an act, regulating roads in

his state, so far as respects the county of Glynn—Mr. Montgomery in the Chair, Mr. President resumed the Chair, and Mr. Montgomery reported that having gone through the bill, they made no amendment.

Whereupon the said bill was read the 3d time and passed.

The Senate resolved itself into a committee of the whole on the bill to be entitled an act, to increase the fees for the maintenance of prisoners confined in the jail of Chatham county, to compel the giving of security for the fees and maintenance of insolvent debtors, also securing the fees for the maintenance of criminals sent from adjacent counties, and also to increase the compensation for apprehending and bringing to said jail runaway slaves—Mr. Foster in the chair—Mr. President resumed the chair, and Mr. Foster reported that they had gone through the bill and made amendments.

Ordered, That the report do lie on the table.

The Senate resolved itself into a committee of the whole on the bill to be entitled an act, to alter and amend the times of holding the Superior courts in the counties of Bryan, Effingham and Bulloch, and for other purposes—Mr. Lane in the Chair—Mr. President resumed the Chair, & Mr. Lane reported progress and had leave to sit again.

The Senate resolved itself into a committee of the whole on the bill to be entitled an act, to provide a more easy mode for the recovery of rents in the City of Savannah, and the profits thereof and for other purposes

—Mr. Dooly in the Chair—Mr. President resumed the Chair, and Mr. Dooly reported, that they having gone thro' the same, made no amendments.

Whereupon the bill was read the 3d time and passed.

The Senate resolved itself into a committee of the whole on the bill to be entitled an act, to make permanent the site of the public buildings for the county of Telfair—Mr. Scruggs in the Chair—Mr. President resumed the Chair, and Mr. Scruggs reported, that they had gone through the bill without any amendment.

Whereupon the said bill was read the 3d time and passed.

The bill to be entitled an act, to alter the 2d section of the 3d article of the Constitution of this state was taken up, read the third time, and on the question, shall this bill now pass, it was determined in the affirmative, and the yeas and nays being required, are Yeas 27—Nays 9.

Those in the affirmative are Messrs. Alston, Baker, Battel, Blackmon, Blair, Byne, Cook, Daniel, Dooly, Fort, Foster, Fulgham, Fulwood, Hatcher, Irwin, Lane, Little, Montgomery, Nesbit, Newsom, Pope, Spalding, Swain, Talbot, Walker, Watkins and Wood.

Those in the negative, are Messrs. Hardie, Jones, Lumpkin, Piles, Powell, Pray, Rawles, Scruggs and Winn.

Mr. Dooly from the joint committee appointed to receive proposals and report on the subject of printing the Laws and Journals and Concurred resolutions of the present session,

REPORTED,

That they had received proposals



from N. Childers and S. & F. Grantland, and having duly considered the said proposals, are of opinion that the terms proposed by the said S. & F. Grantland, under all the circumstances would be the most advantageous to the state. The committee therefore recommend the following resolution ;

Resolved, That Messrs Seaton and Fleming Grantland have the printing the Laws, Journals and Concurred Resolutions of the present session of the Legislature, that is to say, 1500 copies of the Laws and Resolutions, and 1500 copies of the Journals of each branch of the General Assembly at the same price, and under the same regulations and restrictions as those of the last session of the Legislature, which was read and agreed to.

Mr. Battel agreeably to notice moved for a committee to prepare and report a bill to be entitled an act, requiring the Judge of the Ocmulgee district to hold an extra term of the Superior court in the county of Baldwin, and to compel the Grand and Petit Jurors already drawn, to serve at said term.

Ordered, That Messrs. Battel, Lane, and Baker be that committee.

Mr. Blackmon agreeably to notice moved for a committee to prepare & report a bill compelling citizens of other states who do now, or may hereafter own lands in the counties of Tatnall, Montgomery, Emanuel, Bulloch & Scriven by themselves, agents or trustees, to give in and pay taxes in the different counties where their lands may lie.

Ordered, That Messrs. Blackmon, Hardie & Alston be that committee.

Adjourned 'till 10 o'clock to-morrow morning.

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FRIDAY, 12th November, 1813.

Mr. Powell notified the Senate that he will on to-morrow ask leave to introduce a bill to be entitled an act, to legalize the acts of Angus M'Donald as Deputy Clerk of the Superior court of the county of Wayne.

The following communication from His Excellency the Governor by Mr. Porter his Secretary, was received.

Executive Department, Georgia,  
Milledgeville, 12th Nov'r, 1813.

To the Senate, and

House of Representatives.

The Constitution having made it the duty of the Governor to give to the General Assembly from time to time information of the State of the Republic, and recommend to their consideration, such measures as he may deem expedient. I now call your attention to a subject of deep interest to our state.

The expedition into the Creek Nation of Indians, now under the command of Brigadier Gen. John Floyd, is one, on the success which, depends the peace and safety of our frontier inhabitants from the mountains to the St. Mary's river. The difficulty and embarrasments which that officer has had to encounter, were such as to call for the exercise of all his patriotism. These difficulties and embarrasments not only continue, but they increase. I herewith communicate an extract of

a letter received on the 10th inst from General Floyd, by which the Legislature may be able to appreciate his situation. I cannot for a moment believe that the manly and feeling sentiments therein expressed will fail to meet with a corresponding impression in the mind of the Legislature. The recent disaster on our frontier calls upon us to aid by every means within our power, in hastening the progress of the expedition. I therefore recommend to the Legislature to authorise an immediate advance of money for the use of this army. The justice of the General Government will be an ample guarantee for its speedy reimbursement. Indeed there is every reason to expect that funds will be furnished by them in a short period. The absence of the Secretary of War from the seat of government, and the pressure of business arising from the campaign in the north are probably the cause of the delay.

PETER EARLY.

Ordered to lie on the table.

On motion Mr. Walker,

Whereas it has been represented by a communication from His Excellency the Governor, that want of the necessary supplies has considerably retarded the progress of our army destined to act against the Creek Nation of Indians; and there being reason to believe there are not funds sufficient at the disposal of the proper officer for the procurement of those supplies, without which the contemplated expedition must fail; and whereas the public interest is essentially involved in the success of our arms in that

quarter;

Be it therefore resolved, that His Excellency the Governor be, and he is hereby authorised and requested to advance on account of the United States for the purpose of procuring supplies for the said army a sum of money not exceeding twenty thousand dollars, out of any funds which may be in the Treasury of this state; and should any difficulty arise from the want of money in the Treasury, His Excellency is hereby authorized and required to negotiate a loan with the Bank of Augusta or Planters' Bank the sum aforesaid, for a term not exceeding one hundred and twenty days—and for the repayment of which to the said Bank the faith of the state is hereby pledged.

Mr. Fulgham from the committee reported a bill to be entitled an act, to amend an act, entitled an act, to amend an act, to make permanent the site of the public buildings in the town of Hartford, in the county of Pulaski, which was read the 1st time.

A message from the House of Representatives by Mr. Clayton their Clerk.

Mr. President;

The H. of Representatives have concurred in the resolution authorising His Excellency the Governor to furnish the proper officer with the sum of 20,000 dols for the use of the army now in service & he withdrew.

Mr. Dooly from the committee on the State of the Republic, reported on the Communication of His Excellency the Governor as relates to the defence of the sea-coast, which was read and ordered to lie on the table.

Mr. Spalding from the committee to whom was referred the petition on behalf of the Academies of Glynn & M'Intosh counties,

REPORTED as follows ;

Be it resolved by the Senate & H. of Representatives in General Assembly met, That a certain tract of land situated on the island of St Simons, and which was lately confiscated property and sold to George Baily, and which has now reverted to the state from the insolvency of the said Baily be sold by the Commissioners of the Academy of Glynn and M'Intosh, or a majority of them, for certificates ; they giving twenty days notice of the said sale, in one of the public Gazettes. And in the event of the lands selling for more than enough to pay the county of Glynn, the sum of one thousand pounds, and the county of M'Intosh, nine hundred and forty-five pounds eleven shillings, then the said balance, if any there be, be paid over to the Treasury of the state.

Which was read and agreed to.

On motion of Mr Jones,

Resolved that His Excellency the Governor, be requested to transmit to Adjutant General Newnan, a brevet commission, of Brigadier General, to commence with the date of the commission and continue during the present expedition, and that while in command, to be allowed the emoluments but not the pay of the said rank, and on the question to agree to the resolution, it was determined in the affirmative, and the yeas and nays being required, are yeas 19—nays 17.

Those who voted in the affirmative, are Messrs. Baker, Cook, Daniel, Fan-

nin, Fulgham, Hatcher, Jones, Lane, Little, Lumpkin, Montgomery, Nesbit, Piles, Powell, Rawles, Scruggs, Talbot, Walker and Winn.

Those in the negative are, Messrs. Alston, Battel, Blackmon, Blair, Byne, Dooly, Fort, Foster, Fulgham, Hardie, Irwin, Newsom, Pope, Pray, Spalding, Swain and Wood.

A message from His Excellency the Governor by Mr. Foster his Secretary.

Mr. President;

His Excellency the Governor has approved of three resolutions originating in this branch of the Legislature,

One on the subject of erecting Block-houses on the Indian frontier;

One on the subject of tendering the thanks of the Legislature of Georgia to the brave Commodore Perry for the gallantry displayed by him, his officers and men in capturing the whole of the British fleet on Lake Erie ;

And one on the subject of advancing from the state Treasury, the sum of twenty thousand dollars on account of the United States, for the use of the army under the command of Gen. John Floyd, now in the Creek Nation.

A message from the House of Representatives by Mr. Clayton their Clerk.

Mr. President ;

The House of Representatives have agreed to the report of the committee on the State of the Republic, relative to the safety of the sea board—and he withdrew.

The Senate took up the message, and the report being read, was amended and concurred in.

Mr. Dooly agreeably to notice introduced a bill to be entitled an act, to authorize Ezekiel Dubose to erect a ferry across the Savannah river, at his plantation in the county of Lincoln, which was read the first time.

Mr. Scruggs agreeably to notice introduced a bill to be entitled an act, to regulate Wood Measurers in the City of Savannah, to alter the mode of appointing Wood Measurers for that City, and for other purposes, which was read the first time.

Mr. Spalding agreeably to notice introduced a bill to be entitled an act to invest the United States with the right of soil of a certain tract of land extending from Goose creek, to a point opposite to Hartford, on the Ocmulgee, and extending from the western shore of the river Altamaha and Ocmulgee, to five miles from the same, which was read the 1st time.

Mr. Montgomery agreeably to notice introduced a bill to be entitled an act, to legalize a certain description of grants, which have heretofore issued, or hereafter may be issued by the proper authority in this state.

Mr. Foster presented a resolution in favor of Adams and Duyckinck, printers of Augusta, which was read and ordered to lie on the table.

Mr. Jones agreeably to notice introduced a bill to explain and amend an act, entitled an act, establishing the fees of the Harbor Master and Health Officer of the Ports of Savannah and St. Mary's, which was read the first time.

Mr. Foster reported on the petition of Nehemiah Dunn, which was read and ordered to lie on the table.

Mr. Battel presented a petition from Jesse Sanford, which was read and referred to a special committee.

Ordered, That Messrs. Battel, Cook and Byne be that committee.

Ordered, That the member from Montgomery have leave of absence from Senate for two or three days.

Ordered, That Messrs. Walker and Spalding be added to the committee to whom was referred the petition of B. M'Kinnie.

A message from the House of Representatives by Mr. Clayton their Clerk.

Mr. President ;

The House of Representatives have passed a resolution appointing Gee Dupree, esq. a Notary Public for the county of Glynn ;

They have passed a resolution that the Legislature will convene in the Representative Chamber on Wednesday next, at 12 o'clock, for the purpose of electing a Secretary of State, Comptroller, Treasurer and Surveyor General ;

They have added Messrs. Minton and A. Cuthbert to the committee to examine the militia laws, and report such alterations, (if any) as they may deem necessary ;

And they have passed a bill to be entitled an act, to alter and change the names of certain persons therein named ;

They have concurred in the resolution appointing Samuel Davis, Esq. a Commissioner of the Academy of the county of Lincoln ;

In the resolution instructing the committee on Finance to enquire into the different funds of this state ;

And in the report of the committee on the State of the Republic, on the Governor's Communication relative to the depredations committed by the hostile Indians.

Ordered That the message do lie on the table

Adjourned 'till to-morrow morning 10 o'clock.

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SATURDAY, 13th Nov. 1813.

Mr Daniel moved that the minutes of yesterday be re-considered so far as respects Mr Spalding's resolution on the petition of the Commissioners of the Academy of Glynn and M'Intosh counties, and on the question, it was determined in the negative.

The Senate took up the message from the House of Representatives of yesterday, and concurred in the resolution appointing Gee Dupree, Esqr. a Notary Public,

In the resolution that they will on Wednesday next proceed to the choice of Secretary of State, Comptroller General, Treasurer and Surveyor General

A message from the House of Representatives by Mr. Clayton their Clerk

Mr. President ;

The House of Representatives have passed a resolution on the petition of Brig. Gen. Fred. Beall;

They have agreed to the report of the committee on the State of the Republic, on the proposed amendment to the Constitution of the U. States by the Legislature of North Carolina;

They have concurred in the ap-

pointment of a committee on the petition of a number of the inhabitants of Hancock county, and added a committee on their part; and have concurred

In the report of the committee to contract with a printer for the printing the Laws and Journals of the present session;

And they have passed the following bills.

A bill to be entitled an act, to authorize the fortunate drawers in the late land lotteries of this state to take out their grants ;

A bill to be entitled an act, to authorize the Justices of the Inferior court of the county of Madison to levy an extra county tax ;

And a bill from Senate to be entitled an act, to add a part of Clark county to the county of Madison—and he withdrew.

The Senate took up the message, and concurred in the resolution on the petition of Gen. Fred. Beall, with the following amendments—" And to Eliza Winn the sum of thirteen dollars for supplies given the troops stationed at Hog mountain, to John Torrence and George Gresham fifty-four dollars for twenty seven barrels of corn, to John R. Rushton ten dollars for fodder, and to John Cannady twelve dollars for four hundred weight of flour furnished said troops, in full for the above supplies.

And the said several bills were read the first time.

Ordered, That the report of the committee on the resolutions of North-Carolina do lie on the table.

Mr Talbot called up the resolution of the House of Representatives on

the petition of Col. Mager Henderson, which was read and concurred in.

Mr. Swain agreeably to notice introduced a bill to be entitled an act, to repeal an act, compelling the Clerks of this state to keep their offices within one mile of their respective Court-houses, so far as respects the county of Emanuel, and to make permanent the line dividing the counties of Bulloch and Emanuel, and to repeal the third section, and to alter and amend other sections of an act, entitled an act, to lay out a new county out of the counties of Montgomery and Bulloch, passed the tenth day of December, 1812, and for other purposes, which was read the 1st time.

Mr. Irwin from the joint committee reported a bill to be entitled an act, supplementary to, and amendatory of an act, entitled an act, to alleviate the condition of debtors, passed the 27th November, 1812, which was read the first time.

Mr. Powell agreeably to notice introduced a bill to be entitled an act, to legalize and make valid certain acts of Angus M'Donald as assistant Clerk of the Superior court of the county of Wayne, which was read the first time.

On motion of Mr. Blackmon,

Resolved, That His Excellency the Governor be, and he is hereby authorized and required to contract with some fit and proper person to make the necessary repairs on the arms now in the public arsenal of this state.

The following bills were severally read the 2d time.

A bill to be entitled an act for the

relief of John Boog.

Ordered for committee of the whole.

A bill to be entitled an act, to add a part of Clark county to Oglethorpe county ;

Ordered for a third reading.

A bill to be entitled an act, to legalize a certain description of grants which have heretofore issued, or may hereafter be issued by the proper authority of this state.

Ordered for committee of the whole.

A bill to be entitled an act, to invest the United States with the right of soil of a certain tract of land extending from Goose creek to a point opposite to Hartford, on the Ocmulgee, &c.

Ordered for committee of the whole.

A bill to be entitled an act, to regulate Wood Measurers in the City of Savannah, to alter the mode of appointing Wood Measurers for that City, and for other purposes.

Ordered for committee of the whole.

A bill to be entitled an act, to authorize Ezekiel Dubose to erect a ferry across the Savannah river, at his plantation in the county of Lincoln.

Ordered for committee of the whole.

A bill to be entitled an act, to amend an act, entitled an act, to amend an act, to make permanent the site of the public buildings in the town of Hartford, in the county of Pulaski.

Ordered for a third reading.

And a bill to explain and amend an act entitled an act, establishing the fees of the Harbor Master & Health Officer of the ports of Savannah and St. Mary's.

Ordered for committee of the whole.

The Senate resolved itself into a committee of the whole on the bill to

be entitled an act, to amend an act, entitled an act, to regulate attachments in this state, passed the eighteenth day of February, 1799—Mr. Byne in the chair—Mr. President resumed the chair, and Mr. Byne reported that they had gone through the same with amendments

Ordered that the report do lie on the table.

The Senate resolved themselves into a committee of the whole on the bill to be entitled an act, to authorize William S. Lancaster of the county of Pulaski, to establish a ferry on the Ocmulgee river, at the town of Hartford in the county of Pulaski—Mr. Jones in the chair—Mr. President resumed the chair, and Mr. Jones reported that they had gone thro' the same with amendments.

The Senate took up the report, and the amendments were agreed to

Ordered to be engrossed for a 3d reading

The Senate resolved itself into a committee of the whole on the bill to be entitled an act, to alter the uniform of the officers of the militia of the state of Georgia—Mr. Cook in the chair—Mr. President resumed the chair, and Mr. Cook reported progress and had leave to sit again in June next.

The Senate took up the report which was agreed to.

On motion of Mr. Spalding,

Whereas it is the opinion of all men well informed upon the subject, and with whom experience has combined with real information, to enable them to judge justly, that barges and Gun-Boats afford the only protection that can rationally be relied upon for

the defence of the sea-coast ;

Be it therefore resolved by the Senate and House of Representatives of the State of Georgia in General Assembly met, and by the authority of the same, That our Senators be required and our Representatives requested to use their efforts with the President of the United States and with the Secretary of the Navy to enlarge that description of force between the points of Savannah and St. Mary's, more particularly necessary since the calamitous Hurricane which has occurred in this quarter.

And be it further resolved, That His Excellency the Governor be requested to transmit this resolution to our Senators and Representatives in Congress.

Adjourned 'till 10 o'clock to-morrow morning.

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MONDAY, 15th November, 1813.

Mr. Cook moved for the re-consideration of the minutes of Saturday last, on the bill to be entitled an act, to alter the uniform of the officers of the militia of the state of Georgia, and that the bill do lie on the table, which was disagreed to

Mr. Daniel notifies the Senate that he will on to-morrow ask leave to report a bill to be entitled an act, to extend the power of the Commissioners of the Court-house and Jail of the county of Madison.

The following bills were read the 2d time.

A bill to be entitled an act, to alter and change the names of certain per-

sons therein named.

Ordered for a third reading

A bill to be entitled an act to authorize the fortunate drawers in the late land lotteries in this state to take out their grants.

Ordered for committee of the whole.

A bill to be entitled an act, to authorize the Justices of the Inferior court of the county of Madison to levy an extra county tax.

Ordered for a third reading.

A bill to be entitled an act, to legalize and make valid certain acts of Angus M'Donald as Deputy Clerk of the Superior court of the county of Wayne.

Ordered for a third reading.

A bill to be entitled an act, supplementary to, and amendatory of an act, entitled an act, to alleviate the condition of debtors, passed the 27th November, 1812.

Ordered for a committee of the whole.

And a bill to be entitled an act, to repeal an act, compelling the Clerks of this state to keep their offices within one mile of their respective Court-houses, so far as respects the county of Emanuel, and to make permanent the line dividing the counties of Bulloch and Emanuel, and to repeal the third section, and alter and amend other sections of an act, entitled an act, to lay out a new county out of the counties of Montgomery and Bulloch, passed the 10th day of December, 1812, and for other purposes.

Ordered for a committee of the whole.

The bill to be entitled an act, to add a part of Clark county to Ogle-

thorpe county was taken up and read the third time and passed.

The bill to be entitled an act, to amend an act, entitled an act, to amend an act, to make permanent the site of the public buildings in the town of Hartford, in the county of Pu'aski was taken up and read the third time and passed.

The Senate resolved itself into a committee of the whole on the bill to be entitled an act, for the relief of John Boog—Mr Spalding in the chair—Mr. President resumed the chair, and Mr Spalding reported progress, and had leave to sit again.

The Senate resolved itself into a committee of the whole on the bill to be entitled an act, to authorize Ezekiel Dubose to erect a ferry across Savannah river, at his plantation in the county of Lincoln—Mr. Talbot in the chair—Mr. President resumed the chair, and Mr. Talbot reported that they had gone through the bill with amendments.

The Senate took up the report, which was agreed to.

Whereupon the bill was read the 3d time and passed.

The Senate resolved itself into a committee of the whole on the bill to be entitled an act, to legalize a certain description of grants which have heretofore issued, or may hereafter be issued by the proper authority of this state—Mr. Nesbit in the chair—Mr. President resumed the chair, and Mr. Nesbit reported an amendment, which report was agreed to

Whereupon the bill was read the third time and passed.

The Senate resolved itself into a



committee of the whole on the bill to be entitled an act, to regulate Wood Measurers for the City of Savannah, to alter the mode of appointing Wood Measurers for that City, and for other purposes—Mr Irwin in the chair—Mr President resumed the chair, and Mr Irwin reported progress, and had leave to sit again in June next.

The Senate took up the report, and on the question to agree to the same it was determined in the affirmative, and the yeas and nays being required, are yeas 18—nays 14.

Those in the affirmative, are Messrs Baker, Battel, Blackmon, Cook, Daniel, Fannin, Fort, Fulwood, Irwin, Jones, Lane, Montgomery, Nesbit, Talbot, Walker, Watkins, Winn and Wood.

Those in the negative are, Messrs Blair, Byne, Dooly, Fulgham, Hatcher, Little, Newsom, Piles, Powell, Pray, Rawles, Scruggs, Spalding and Swain.

The Senate resolved itself into a committee of the whole on the bill to be entitled an act, to explain & amend an act, entitled an act, establishing the fees of the Harbor Master and Health Officer of the ports of Savannah and St. Mary's—Mr Walker in the chair—Mr President resumed the chair, and Mr Walker reported that they had made progress, and asked leave to sit again in June next.

The Senate took up the report, and on the question to agree to the same, it was determined in the affirmative, and the yeas and nays being required, are yeas 23—nays 8.

Those in the affirmative, are Messrs Baker, Battel, Blackmon, Byne, Cook, Dooly, Fannin, Fort, Fulgham, Ful-

wood, Hardie, Hatcher, Irwin, Lane, Little, Nesbit, Newsom, Piles, Scruggs, Spalding, Swain, Watkins and Wood.

Those in the negative, are Messrs Blair, Jones, Montgomery, Powell, Pray, Rawles, Talbot and Winn.

The Senate resolved itself into a committee of the whole on the bill to be entitled an act to invest the United States with the right of soil of a certain tract of land extending from Goose creek to a point opposite to Hartford on the Ocmulgee river, &c.

—Mr. Pray in the chair—Mr. President resumed the chair, and Mr. Pray reported, that they had gone thro' the bill, and made no amendments.

The Senate took up the report, and on the question, shall this bill be postponed 'till June next, it was determined in the affirmative, and the yeas and nays being required, are Messrs Baker, Battel, Blackmon, Byne, Cook, Daniel, Dooly, Fannin, Fulgham, Fulwood, Hatcher, Irwin, Little, Nesbit, Newsom, Piles, Powell, Swain and Wood.

Those in the negative, are Messrs Blair, Fort, Hardie, Jones, Lane, Montgomery, Pray, Rawles, Scruggs, Spalding, Talbot, Walker, Watkins and Winn.

Mr. Walker presented a petition from John Wilson of Augusta, which was read and referred to a special committee.

Ordered, That Messrs. Walker, Dooly and Talbot be that committee.

Mr. Blackmon agreeably to notice reported a bill to be entitled an act, compelling all persons whatsoever having and holding lands in the counties of Tatnall, Montgomery, Emanu-

el, Bulloch, Scriven and Camden to return their lands to the Receiver of tax returns of the counties in which the lands lie, so far as relates to the said counties, which was read the 1st time.

Mr. Battel agreeably to notice reported a bill to be entitled an act, requiring the Judge of the Ocmulgee district to hold an extra term of the Superior court in the county of Baldwin, which was read the 1st time.

A message from the House of Representatives by Mr. Clayton their Clerk.

Mr. President ;

The House of Representatives have passed a bill to authorise the Judge of the Superior courts in the Middle Circuit to hold an extra session in the county of Washington.

And a bill to be entitled an act to make permanent the scite of the public buildings in the county of Montgomery, and to authorise the Judges of the Inferior court to select and draw grand and petit jurors—and he withdrew.

Ordered, That the message do lie on the table.

Mr. Pray from the committee to whom was referred the petition of B. M'Kinnie reported, which was read and ordered to lie on the table.

Mr. Fulwood gives notice that he will on to-morrow move for leave to report a bill to amend an act, entitled an act, for the relief of purchasers of lots in the town of Sumpterville, in the county of Laurens, passed the 10th December, 1812.

Adjourned 'till 10 o'clock to-morrow morning.

TUESDAY, 16th Nov. 1813.

On motion of Mr. Scruggs,

The minutes of yesterday were reconsidered, so far as relates to the bill appointing Wood Measurers for the City of Savannah.

Ordered, that the bill do lie on the table.

Mr. Dooly from the committee on the State of the Republic,

REPORTED, to wit :

The committee on the State of the Republic to whom the petition of Daniel Newnan was referred, praying compensation for a negro fellow killed in the late expedition conducted by him against the Seminole Indians in the fall of 1812, beg leave to report the following resolution ;

Resolved, That in as much as the late expedition against the Seminole Indians was not immediately conducted under any known order of this state, consequently it has no right to repair said loss, but earnestly recommend the petitioner to the general government for pay, and therefore deem the prayer of the petitioner unreasonable, and ought not to be granted.

On the question to agree to the resolution, Mr. Byne moved that unreasonable be stricken out, and the word reasonable inserted, which was determined in the negative, and the yeas and nays being required, are yeas 8—nays 26.

Those in the affirmative, are Messrs Byne, Hardie, Piles, Powell, Rawles, Talbot, Walker and Watts.

Those in the negative, are Messrs. Baker, Battel, Blackmon, Blair, Cook, Daniel, Dooly, Fannin, Fort, Fulgham, Fulwood, Hatcher, Irwin, Jones, Lane,

Little, Lumpkin, Montgomery, Nesbit, Newsom, Pope, Scruggs, Spalding, Swain, Watkins and Wood.

Whereupon the resolution was again read and agreed to.

The following bills were taken up and severally read the 2d time

A bill to be entitled an act, compelling all persons whatsoever, having and holding lands in the counties of Tattah, Montgomery, Emanuel, Bulloch, Scriven and Camden to return their lands to the receiver of tax returns of the counties in which the land lies, so far as relates to the said counties.

Ordered for a committee of the whole.

A bill to be entitled an act, requiring the Judge of the Ocmulgee district to hold an extra term of the Superior court in the county of Baldwin.

Ordered for a third reading.

The bill to be entitled an act, to amend an act, entitled an act, to regulate attachments in this state, passed the 18th day of February, 1799, was read the third time and passed

The bill to be entitled an act, to legalize and make valid certain acts of Angus M'Donald as Deputy Clerk of the Superior court of the county of Wayne was taken up, read the third time and passed.

The bill from the House of Representatives to be entitled an act, to alter and change the names of certain persons therein named was taken up, read the third time and passed.

The bill to be entitled an act, to arise the Justices of the Inferior court of the county of Madison to levy an extra county tax. was also taken up, read the third time and passed.

The Senate resolved itself into a committee of the whole on the bill to be entitled an act, supplementary to, and amendatory of an act, entitled an act, to alleviate the condition of debtors, passed the 27th November, 1812; Mr. Irwin in the chair—Mr. President resumed the chair, and Mr. Irwin reported that they had gone through the bill and made amendments.

The Senate took up the report—Mr. Dooly moved that the words, "or about to remove" be stricken out in the third clause. On the question to agree, it was determined in the negative, and the yeas and nays being required, are yeas 4—nays 29.

Those in the affirmative, are Messrs Dooly, Fort, Piles and Spalding.

Those in the negative, are Messrs. Baker, Battel, Blackmon, Blair, Byne, Cook, Daniel, Fannin, Fulgham, Fulwood, Hatcher, Irwin, Jones, Lane, Little, Lumpkin, Montgomery, Nesbit, Newsom, Pope, Powell, Rawles, Scruggs, Swain, Talbot, Walker, Watts, Watkins and Wood.

Mr. Dooly then moved that the following proviso be inserted at the end of the said third section.

Provided the oath of the creditor shall be traversable, & where the same shall on the trial, which shall be at the next term of the Superior court of the county wherein the said affidavit is made, and if found against the person or persons making it; he, she or they shall be liable to the pains and penalties inflicted by the laws of this state against persons committing the crime of perjury, and the manner of traversing the affidavit of the creditor shall be, that in case the person or persons

against whom such affidavit is made, will make oath of the falsity or untruth thereof, and will give bond and good security to the officer levying the said execution, to have the property in the same situation and condition in which it then is, at the next Superior court for the county in which such proceedings shall have taken place, then the officer shall forthwith place the property in the hands of the debtor, and report the proceedings to the said next Superior court; and it shall be the duty of the Attorney or Solicitor General to frame a bill upon the affidavit of the creditor taking such oath for perjury, and if he, she or they be convicted of false swearing, in taking the same, he, she, or they shall be adjudged guilty of perjury, and be punished accordingly—and on the question to agree to the amendment, it was determined in the negative, and the yeas and nays being required, are yeas 5—nays 27

Those in the affirmative, are Messrs Dooly, Fort, Lane, Powell and Spalding.

Those in the negative, are Messrs. Baker, Battel, Blackmon, Blair, Byne, Cook, Daniel, Fannin, Fulgham, Fulwood, Hatcher, Irwin, Jones, Little, Lumpkin, Montgomery, Nesbit, Newsom, Piles, Pope, Rawles, Scruggs, Talbot, Walker, Watts, Watkins and Wood

Whereupon the amendments of the committee of the whole were read, amended and agreed to.

Ordered, That the said bill be engrossed for a 3d reading.

Mr. Fulgham agreeably to notice reported a bill to amend an act, to relieve

the purchasers of lots in the town of Sumpterville, and other county purposes, which was read the first time.

Mr. Jones agreeably to notice had leave to report a bill to be entitled an act, for the relief of William Wightman, which was read the first time.

Mr Walker agreeably to notice had leave to introduce a bill to be entitled an act, to vest in, and secure to John Willson of the City of Augusta, his heirs and assigns forever, certain property, devised and bequeathed to him by John Willson, lately also of the City of Augusta, deceased, which was read the first time.

Mr Lane agreeably to notice introduced a bill to be entitled an act, to prevent persons from trespassing upon lands, and cutting down and destroying the timber thereon growing, which was read the first time.

Mr. Daniel agreeably to notice introduced a bill to be entitled an act, to extend the powers of the Commissioners of the Court-house and Jail of the county of Madison, which was read the 1st time.

Adjourned 'till to-morrow morning 10 o'clock.

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WEDNESDAY, 17th Nov. 1813.

Mr Irwin called up the resolution requesting our Senators & Representatives in Congress to endeavour to obtain the sanction of the law of 1814, regulating the fees of Harbor Master and Health Officer for the ports of Savannah and St. Mary's, which was read and agreed to.

A message from His Excellency the

Governor by his Secretary Mr. Porter, informing the Senate that His Excellency had approved of and signed a resolution relative to an expedition against the Oakfuskee or upper and most adjacent towns of the waring Creek Indians—and he withdrew.

The following bills were taken up & severally read the second time, viz.

A bill to be entitled an act, for the relief of William Wightman.

Ordered for a committee of the whole.

A bill to be entitled an act, to extend the powers of the Commissioners of the Court-house and Jail of the county of Madison.

Ordered for a third reading.

A bill to amend an act, entitled an act, to relieve the purchasers of lots in the town of Sumpterville, and other county purposes

Ordered for a third reading.

A bill to be entitled an act, to prevent persons from trespassing upon lands and cutting down and destroying timber thereon growing.

Ordered for a committee of the whole.

A bill to be entitled an act, to make permanent the scite of the public buildings in the county of Montgomery, and to authorise the Judges of the Inferior court to select & draw grand and petit jurors.

Ordered for a third reading.

A bill to be entitled an act, to vest in and secure to John Willson of the City of Augusta, his heirs and assigns forever, certain property devised and bequeathed to him by John Willson, lately also of the city of Augusta, deceased.

Ordered for a third reading.

A bill to be entitled an act, to authorise the Judge of the Superior courts in the Middle Circuit to hold an extra session in the county of Washington.

Ordered for a third reading.

The bill to be entitled an act, requiring the Judge of the Ocmulgee district to hold an extra term of the Superior court in the county of Baldwin was taken up and read the third time and passed.

The Senate resolved itself into a committee of the whole on the bill to be entitled an act, to increase the fees for the maintenance of the prisoners confined in the Jail of Chatham county—Mr. Montgomery in the chair—Mr. President resumed the chair, and Mr. Montgomery reported, that they had gone through the bill with an amendment.

The Senate took up the amendment which was read and agreed to.

Whereupon the bill was read the third time, and passed under the title of a bill to be entitled an act, to increase the fees for the maintenance of prisoners confined in the Jail of Chatham county, to compel the giving of security for the fees and maintenance for the insolvent debtors, and also to increase the compensation for apprehending and bringing to said Jail runaway slaves.

The bill to be entitled an act, supplementary to, and amendatory of an act, entitled an act, to alleviate the condition of debtors, passed the 27th November, 1812, was taken up and read the third time and passed.

The Senate resolved itself into a

committee of the whole on the bill to be entitled an act, to authorise the fortunate drawers in the late land lotteries of this state to take out their grants—Mr. Talbot in the chair—Mr. President resumed the chair, and Mr. Talbot reported progress and had leave to sit again.

Mr. Daniel notified the Senate that he will on to-morrow ask leave to report a bill for the relief of persons who are now in the service of the United States from this state.

Mr. Battel notified the Senate that he will on Friday next ask leave to report a bill to be entitled an act, to authorise the Inferior court of the county of Baldwin to levy an extra tax.

A message from the House of Representatives by Mr. Clayton their Clerk.

Mr. President ;

The House of Representatives have passed a resolution requesting our Senators and Representatives in the Congress of the United States to endeavor to obtain an amendment to the 3d section of the first article of the Constitution of the United States ;

They have passed a resolution requesting His Excellency the Governor to communicate [through the Agent of Indian Affairs] that it is the opinion and desire of this Legislature that no friendly Indians approach our frontier unless along the trading paths, &c. ;

They have passed a resolution appointing a joint committee on their part, to report a bill regulating the fees of attorneys at law in this state ;

A resolution appointing James Blair and James Hooper, esqrs. Com-

missioners of the Franklin county Academy ;

They have passed a resolution confirming the Executive appointments of David Hillhouse and Duncan G. Campbell, esqrs Commissioners of the town and Academy of Washington in Wilkes county ;

And John Cumming a Commissioner of the Chatham county Academy ;

They have agreed to the report of the committee on the State of the Republic, on the petition of Daniel Newman ;

They have concurred in the resolution requesting the Governor to contract with a proper person to repair the arms now in the arsenal of this state ;

And in the amendment made by the Senate to the resolution on the petition of Gen. Frederick Beall—and he withdrew.

Ordered, That the message do lie on the table.

A message from the House of Representatives by Mr. Clayton their Clerk.

Mr. President ;

I am directed to inform the Senate that the House of Representatives are ready to receive them in the Representative Chamber for the purpose of electing the state officers agreeably to concurred and approved resolutions---he then withdrew.

The Senate then repaired to the Representative Floor, and being seated, both branches proceeded by joint ballot to the election of Secretary of State, Comptroller General, Treasurer, and Surveyor General, and on counting out the votes, it appeared that Abner

Hammond, esq. was duly elected Secretary of State, James Bozeman, esq. Comptroller General, George R. Clayton, esq. Treasurer, and Edmund E. Jenkins, esq. Surveyor General of the State of Georgia.

The Senate retired to their Chamber, and,

Adjourned till 10 o'clock to morrow morning.

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THURSDAY, 18th Nov. 1813.

Mr Daniel agreeably to notice reported a bill to be entitled an act, for the relief of persons who are now in the service of the United States from this state, which was read the first time.

Mr. Spalding presented a petition from James Wood, esq. of Columbia, which was read and ordered to lie on the table.

Mr. Newsom from the committee on enrollment, reported as duly enrolled and signed by the Speaker, the following acts, viz.

An act to add a part of Clark county to the county of Madison;

An act to add a part of Clark county to the county of Oglethorpe;

An act to authorise the Justices of the Inferior court of the county of Madison to levy an extra county tax;

And an act to alter and change the names of certain persons therein mentioned, which were presented to, and severally signed by the President.

Ordered, That the committee do carry the said acts to his Excellency the Governor for his revision.

A message from the House of Re-

presentatives by Mr. Clayton their Clerk.

Mr. President;

The House of Representatives have passed a resolution appointing a joint committee on their part, to report a bill to levy a tax on cattle;

A resolution exempting the citizens of the frontier military districts from service, unless in case of actual invasion;

And a resolution authorising the Governor to retain such a number of arms as he may deem necessary for the protection of this place.

The Senate took up the message, as also the message of yesterday, & concurred in the appointment of James Blair and James Hooper, esqrs. Commissioners of the Franklin county Academy;

In the resolutions confirming the Executive appointment of David Hillhouse & Duncan G. Campbell, Commissioners of the town and Academy of Washington in Wilkes county;

And John Cumming, esq. a Commissioner of the Chatham county Academy;

In the resolution on the subject of Indian intercourse with an amendment, "strike out 10" and insert "20";

And in the resolution on the subject of the frontier military districts.

Ordered, That the residue of the message do lie on the table.

Mr. Jones reported on the petition of John M'Queen, which was read and ordered to lie on the table.

The Senate took up the report of the committee to whom was referred the petition of Barna M'Kennie, and the same being read was discussed.

On motion of Mr. Dooly,  
Resolved, That the report of the committee be committed to a committee of the whole Senate on Saturday next.

The following message was received from His Excellency the Governor by his Secretary Mr. Porter.

Mr. President ;

I am directed by His Excellency the Governor to notify the Senate that he has approved of and signed several resolutions which originated in this branch of the Legislature, the substance of which is as follows, to wit :

One appointing Thomas H. Kenan, esq. a Notary Public for the county of Baldwin ;

One appointing Samuel Davis, esq. a Commissioner of the Academy of Lincoln county, in place of Gibson Clark, removed ;

One appointing William Tilman, John M'Curdy, Giles Harris, George Hudson and Dabney Gholson, esqrs. Commissioners of the Academy of Madison county, the former in the place of George Christian removed, and the latter persons in addition to those heretofore approved ;

One that Messrs Seaton and Fleming Grantland have the printing of the Laws, Journals and Concurred Resolutions of the present session of the Legislature, viz—1500 copies of the Laws and Resolutions, and 1500 copies of the Journals of each branch of the General Assembly, at the same price, and under the same regulations and restrictions as those of the last session of the Legislature ; and

I am also directed by him to lay

before this branch of the Legislature a communication.

Executive Department, }  
November 18th, 1813. }

To the Senate, and

House of Representatives.

I now communicate to the Legislature in pursuance of their Resolution for that purpose, information of the proceedings that have been had on the bond of Adams and Duyckinck, who contracted to print the Laws and Resolutions of this state, since the political year 1800. This information is contained in the copies herewith communicated, of a letter from the Executive Department to the late Attorney General of this state, and of the answer thereto.

PETER EARLY.

The Senate took up the message, and the communication being read, was ordered to lie on the table.

Adjourned 'till to-morrow morning, 10 o'clock.

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FRIDAY, 19th Nov. 1813.

Mr. Newsom agreeably to notice introduced a bill to be entitled an act, to revise, amend and consolidate the several patrol laws now in force in this state, which was read the first time.

A message from the House of Representatives by Mr. Clayton their Clerk.

Mr. President ;

The House of Representatives have passed a resolution on the



report of the committee on Finance, on the subject of John Ragan's bond;

They have concurred in the resolution requesting our Senators and Representatives in Congress to sanction the law of 1804, regulating the fees of Health Officers and Harbor Masters for the ports of Savannah and St. Mary's ;

And they have passed the following bills.

A bill for the relief of John D'Antignac, esquire, Tax Collector for the county of Richmond, for year eighteen hundred and eleven and twelve ;

And a bill to be entitled an act, to amend an act, entitled an act, for the limitation of actions, and for avoiding suits in law—and he withdrew.

Ordered that the message do lie on the table.

The President of Senate expressing a desire to be absent from Senate on business until Monday next, the hon. Jared Irwin took the chair as President pro tem.

The bill to be entitled an act, to vest in, and secure to John Willson of the City of Augusta, his heirs and assigns forever, certain property devised and bequeathed to him by John Willson, lately also of the City of Augusta, dec'd, was taken up and read the third time and passed.

The bill to be entitled an act, to extend the powers of the Commissioners of the Court-house and Jail of the county of Madison, was taken up, read the third time and passed.

The bill to be entitled an act, to amend an act, entitled an act, to relieve the purchasers of lots in the town of Sampterville, and other county pur-

poses, was taken up and read the 3d time and passed.

The bill to be entitled an act, to authorise William S. Lancaster of the county of Pulaski to establish a ferry on the Ocmulgee river, at the town of Hartford in the said county of Pulaski, was taken up and read the third time and passed.

The Senate resolved itself into a committee of the whole on the bill to be entitled an act, to authorise the fortunate drawers in the late land lotteries of this state to take out their grants—Mr. Talbot in the chair—Mr. President resumed the chair, and Mr. Talbot reported that they had gone through the bill with amendments.

The Senate took up the report—

On motion of Mr. Dooly,

That the following section be added after the first clause, and the remainder of said bill be disagreed to, to wit :

Be it enacted by the Senate and House of Representatives, That all persons who have drawn lands in the late land lotteries of this state, and have not taken out grants for the same, be and they are hereby authorised on payment of the lawful fees, to take out such grants at any time previous to the first day of May next, inclusive, and no longer.

And be it further enacted by the authority aforesaid, That immediately after the said first of May next, His Excellency be, and he is hereby authorised and required to have transmitted to the Tax Collectors of the different counties wherein the land drawn by the aforesaid fortunate draw-

ers lies, the quantity and number of the lots drawn by the fortunate drawers aforesaid, with the name of the said fortunate drawer for each lot, and it shall be the duty of the respective Tax Collectors on the receipt of the said abstract of lots not taken out by the fortunate drawers who drew them, forthwith to advertise the same for sale, in one or more of the public gazettes of this state, and in at least five of the most public places in the county, at least sixty days, of the time and place, which shall be at the Court-house in each county, and on the first Tuesday in the month, and on giving such notice, the Tax Collectors shall proceed to sell the same in the lawful hours of sale, from day to day, until he sell all the lots in the abstract transmitted to him—provided, the lots sell for so much as the granting fees, which shall be paid for in money, specie or bills of the Augusta or Planters' Bank, and the surplus, if any on the sale, the respective Collectors to take bond with good and sufficient freehold security, at four annual and equal instalments, and that the purchasers aforesaid shall not be allowed to take out grants for the lands so purchased until they have made the last payment.

And be it further enacted, That the several Tax Collectors of the counties herein before mentioned, shall in addition to the bond already required of them, give bond and security to His Excellency the Governor for the time being, and his successors in office, for the faithful performance of the duties required by this act.

And be it further enacted, that this act shall not extend to any improved

or settled lot or lots that has been cultivated by the fortunate drawer of the said lot.

And be it further enacted, That none of the benefits intended to be extended by this act, shall not extend to any person or persons claiming or holding under such fortunate drawer, until he, she or they shall have taken an oath in writing before the Secretary of State, declaring he, she or they are the bona fide purchaser or purchasers of the lot or lots applied for to be granted, and that he, she or they did not know of the expiration of the time allowed by an act of 1812, for taking out the lots drawn by such fortunate drawer or drawers, and that the said lot or lots have not been improved, settled or cultivated, according to the best of his, her or their knowledge, information or belief.

And be it further enacted, That in case it should so happen, that any of the lots should not sell for the granting fees, or for the sum which has usually been paid on obtaining the grant, the respective Collectors shall report the same to the meeting of the next General Assembly, and for the duties required of the several Collectors by this act, they shall receive two and a half per cent on all sales made by them, to be paid out of the funds raised, and as they are raised by the sales contemplated by this act.

And be it further enacted, That nothing in this act contained, shall extend to prevent any person who is, or may be engaged in the service of this state, or of the United States from taking out his, her or their grant at any time within three months after his

or their discharge from his term of service

And be it further enacted, That nothing in this act contained, shall extend to cases of orphans or widows who may have been fortunate drawers from taking out their grants, until the meeting of the next General Assembly.

And on the question to agree to the amendment, it was determined in the negative, and the yeas and nays being required, are yeas 7 nays 27

Those in the affirmative, are Messrs Alston, Dooly, Fort, Hardie, Piles, Powell and Talbot.

Those in the negative, are Messrs Baker, Battel, Blackmon, Blair Byne, Cook, Daniel Fennin, Fulgham, Fulwood, Hatcher, Jones, Lane, Little, Lumpkin, Montgomery, Nesbit, Newsom, Pope, Rawles, Scruggs, Spalding, Swain, Walker, Watts, Watkins and Wood

On Motion of Mr. Cook,

That the 1st day of November be stricken out, and the 1st day of June inserted in lieu thereof; And on the question to agree, it was determined in the affirmative, and the yeas and nays being required, are yeas 20—nays 13

Those in the affirmative, are Messrs Alston, Baker, Battel, Blackmon, Byne, Cook, Dooly, Fort, Fulwood, Hardie, Jones, Lumpkin, Nesbit, Powell, Rawles, Scruggs, Talbot, Walker, Watts, and Wood.

Those in the negative, are Messrs Blair, Daniel, Fannin, Fulgham, Hatcher, Lane, Little, Montgomery, Newsom, Pope, Spalding, Swain and Watkins.

On motion of Mr. Wood,

That the sum of ten dollars be paid by the taker out of grants after the 1st day of June next, over and above the usual fees of office—and on the question to agree to the amendment, it was determined in the negative, and the yeas and nays being required, are yeas 15—nays 18.

Those in the affirmative, are Messrs Alston, Battel, Dooly, Fannin, Jones, Little, Montgomery, Nesbit, Newsom, Pope, Powell, Swain, Talbot, Watkins and Wood.

Those in the negative, are Messrs Baker, Blackmon, Blair, Byne, Cook, Daniel, Fort, Fulgham, Fulwood, Hatcher, Lane, Lumpkin, Piles, Rawles, Scruggs, Spalding, Walker and Watts.

On motion of Mr. Walker,

That the following clause be inserted in lieu of the 2d clause of the bill, to wit:

“And be it further enacted by the authority aforesaid, that after the 1st day of June next, any person or persons, citizens of this state, who shall apply at the necessary offices may, on payment of the usual fees for taking out grants in the late land lotteries of this state, take out & receive in his own name, a grant for any one lot of land in either of the land lotteries in this state, which shall not be then granted—provided, that no person shall be authorised to take out a grant for any lot drawn by any orphan or orphans, not then of age, and having no legal representative in this state”

And on the question to agree to the amendment, it was determined in the affirmative, and the yeas and nays being required, are yeas 19—nays 15.

Those in the affirmative, are Messrs Alston, Baker, Blackmon, Blair, Byne, Cook, Fort, Fulwood, Hardie, Hatcher, Lumpkin, Nesbit, Powell, Rawles, Scruggs, Spalding, Talbot, Walker and Watts.

Those in the negative, are Messrs Battel, Daniel, Dooly, Fannin, Fulgham, Jones, Lane, Little, Montgomery, Newsom, Piles, Pope, Swain, Watkins and Wood.

Whereupon the report being amended and agreed to, the bill was read the third time, and passed as amended.

The Senate resolved itself into a committee of the whole on the bill to be entitled an act, to repeal an act, compelling the clerks of this state to keep their offices within one mile of their respective Court houses, so far as respects the county of Emanuel, and to make permanent the dividing line between the counties of Bulloch and Emanuel, and to repeal the 3d section, and to alter and amend other sections of an act, entitled an act, to lay out a new county out of the counties of Montgomery and Bulloch, passed the 10th December 1812, and for other purpose.—Mr. Byne in the chair—Mr. President resumed the chair, and Mr. Byne reported that they had gone through the bill with amendments.

The Senate took up the report, and the amendments were read and agreed to.

Whereupon the said bill was read the 3d time and passed.

The Senate resolved itself into a committee of the whole on the bill to be entitled an act, compelling all per-

sons whatsoever, having and holding lands in the counties of Tatnall, Montgomery, Emanuel, Bulloch, Scriven and Camden, to return their lands to the Receiver of Tax Returns of the counties where the land lies, so far as relates to the said counties—Mr. Watkins in the chair—Mr. President resumed the chair, and Mr. Watkin's reported progress, and had leave to sit again.

On motion of Mr. Dooly,

Resolved, that it is the opinion of this Legislature that the presence and military talents of Major General John Clark are wanting to take the command of our army which is now penetrating the Creek Nation of Indians ;

Be it therefore requested, that His Excellency the Governor do immediately direct General Clark to proceed forthwith to the Head-Quarters of said army, for the purpose of taking the command of, and conducting the campaign until said army shall be lawfully discharged ; ordered to lie on the table.

Mr. Hatcher presented a petition from — Berry, which was read and referred to a special committee.

Ordered that Messrs. Hatcher, Lane and Wood, be that committee.

Mr. Fort from the committee reported a bill to be entitled an act, to consolidate the funds of this state, and establish a Bank thereon, which was read the 1st time.

Mr. Daniel agreeably to notice reported a bill, to be entitled an act, to amend an act, entitled an act, more effectually to open and keep in repair the public roads, causeways, and

bridges in this state, passed on the 16th December, 1811, which was read the 1st time.

Mr. Battel agreeably to notice reported a bill, to be entitled an act, to add a part of Hancock county, to the county of Baldwin, which was read the 1st time.

On motion of Mr. Walker

Whereas the General Assembly of this State, have thought proper to purchase a Dwelling house at this place, for the accommodation of His Excellency the Governor—and whereas it badly comports with the liberality of a great and generous people, to provide for their chief magistrate an unfurnished house—and great inconvenience arising from the removal of furniture, upon every change in office of chief magistrate:

Be it therefore Resolved, That His Excellency the Governor, be authorised and requested to draw on the contingent fund for the current year, for the sum of 600 dollars, to be applied to the purchase of furniture for the Government House—which furniture so purchased, shall be considered as belonging to, and shall remain in the said Government House, for the accommodation of the chief magistrate for the time being, of the state of Georgia. Ordered that the solution do lie on the table.

Mr. Alston presented a petition from a number of the inhabitants of the county of Emanuel, praying to be added to the county of Montgomery, which being read was referred to the members of Senate, for the counties of Emanuel and Montgomery, to report thereon.

Adjourned till 10 o'clock to-morrow morning.

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SATURDAY, 20th Nov. 1813.

Mr. Battel from the committee reported on the petition of Jesse Sanford, to wit :

The select committee to whom was referred the petition of Jesse Sanford, praying that the state would compensate him for a deficiency which appears in a fractional survey, purchased by him, lying in the 4th district of Wilkinson, which on the face of the grant specifies 161 1-2 acres, and on a re-survey made by the Surveyor General, contains only 94 1-2 acres—Having taken the same under consideration, are of opinion that the prayer of the petitioner is just, and ought to be granted, and beg leave to report the following resolution ;

Resolved, That His Excellency the Governor be, and he is hereby authorised to direct the Treasurer to refund to the said Sanford the overplus of the money which the said Sanford paid for the above mentioned fractional survey, over and above 94 1-2 acres, at the rate per acre which the said Sanford gave for said land, amounting to 370 dollars, with interest thereon from the time the bond became due.

The report being read, was disagreed to.

On motion of Mr. Walker,

Resolved, that the Secretary inform the House of Representatives that the hon. William Rabun, President of Senate has obtained leave of absence for

a few days, and that the hon. Jared Irwin, Senator from the county of Washington is appointed President pro tem. \*

The bill to be entitled an act, to make permanent the scite of the public buildings in the county of Montgomery, and to authorise the Judges of the Inferior court to select and draw grand and petit Jurors, was read the 3d time and passed.

The bill to be entitled an act, to authorise the Judge of the Superior Courts in the middle circuit, to hold an extra session in the county of Washington, was read the 3d time and passed.

On motion of Mr. Montgomery,

Resolved, That the committee for contracting for the printing the laws and journals of the present session do contract for the printing 130 copies of the bill to be entitled an act, consolidating the funds of this state, and for establishing a loan office.

The Senate Resolved itself into a committee of the whole, on the bill to be entitled an act, for the relief of William Wightman;

Mr. Fort in the chair, Mr. President resumed the chair—and Mr. Fort reported that they had gone through the bill without any amendment.

The Senate took up the Report—and

On motion of Mr. Walker,  
That the report do lie on the table, and that the following resolution be agreed to ;

The petition of Wiliam Wightman praying the renewal of five Georgia certificates, amounting to five thou-

sand pounds, and it appearing to the Senate, from the report and assertion of the Honorable Arthur Fort (one of its members) that it is within his own knowledge, that the amount of the certificates has been paid off and discharged by the state ;

Be it therefore resolved, that the prayer of the petitioner is unreasonable & unjust, & ought not to be granted, and to present a repetition of the application, when the testimony of said Arthur Fort cannot be obtained, the senate do now declare upon their Journals, that from the testimony of said Arthur Fort, there remains no doubt of the state of Georgia having completely exonerated herself by rendering satisfaction, and discharging of the petitioner's demand Which being read and agreed to the report of the committee of the whole on the said bill was ordered to lie on the table.

Ordered that Messrs. Hatcher, Lane, Wood, Blair and Montgomery be a committee on Petitions for Divorces.

Mr. Blair presented a petition from John Douglass, which was read and referred to the committee on Divorces

Mr. Fort presented a petition from Drury Williams, which was read and referred to a special committee.

Ordered that Messrs. Fort, Cook and Fulgham, be that committee.—The following bills were taken up and read the 2d time.

A bill to be entitled an act, to add a part of Hancock county to the county of Baldwin.

Ordered for committee of the whole.

A bill to be entitled an act, for the relief of persons who are now in the service of the United States from this state. Ordered for a 3d reading.

A bill to be entitled an act, to amend an act, entitled an act, more effectually to open & keep in repair the public roads, causeways and bridges in this state, passed on the 16th December, 1811.

Ordered for committee of the whole, and

A bill to be entitled an act, to revise, amend and consolidate the several patrol laws now in force in this state.

Ordered for committee of the whole.

A message from the House of Representatives by Mr. Clayton their Clerk. Mr. President, the House of Representatives have concurred in the resolution instructing our Representatives in Congress to urge the necessity of barges and gun-boats as a defence to our sea coast, with an amendment, and have passed the act from Senate, entitled an act, to amend an act, regulating roads in this state so far as respects the county of Glynn, and he withdrew.

The senate took up the message, together with the message of yesterday, and the bills passed by the House of Representatives were severly read the first time.

They disagree to the amendment, made by the House of Representatives to the resolution on the subject of barges and gun boats, and adhere to their original resolution

Ordered that the report on the subject of John Ragan's, bond &c. do lie on the table.

Mr. Daniel agreeably to notice had leave to report a bill to be entitled an act, to amend the militia laws of this state, which was read the 1st time.

Mr. Walker notified the senate that he will on Monday next, ask leave to bring in a bill to be entitled an act to authorise the taking the depositions of witnesses in criminal cases under certain circumstances.

Mr. Battel agreeably to notice introduced a bill to be entitled an act, to authorise the Inferior court of Baldwin county to levy an extra tax, which was read the 1st time.

The following message was received from His Excellency the Governor, by his Secretary, Mr. Porter.

Mr. President,

I am directed by His Excellency Governor Early, to notify the senate that he has approved of and signed two resolutions, which originated in this body, the substance of which are as follows, to wit. One requesting His Excellency the Governor to send on to the major commandant of Tatnall county for the use of his Battalion, forty stand of arms from the public Arsenal at this place, and authorising him to contract with some proper person, to make the necessary repairs to the said arms, at the expence of the state.

One requesting our Senators and Representatives in Congress to use their influence, to have the law of Georgia of 1804, relative to the fees of the Health Officer, and Harbor Master, for the port of Savannah and St. Mary's, sanctioned for two years from the end of the next session of Congress.

I am also directed by him to return to the Senate an act, entitled, "an act to add part of Clarke county to the county of Madison," which he has this day assented to, and signed.

Ordered that the committee of enrollment do carry the said act to the Secretary of State's office, and see the big seal affixed to the same.

Adjourned until 10 o'clock Monday morning.

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MONDAY, 22d Nov. 1813.

On motion of Mr. Jones,

Resolved, That the resolution of Saturday the 20th inst upon the subject of five certificates, issued to Peter Tresvant on the 9th of December, 1794, by Abraham Jones, then Auditor, be re-considered, in order that the Journals of the Senate and House of Representatives of the year 1794, and the documents upon which the claim for which the said certificates were issued, may be examined, and justice or injustice of the claim be made appear to this house.

On the question to agree, it was determined in the negative, and the yeas and nays being required, are yeas 9 —nays 27.

Those in the affirmative, are Messrs Blair, Fort, Jones, Pray, Scruggs, Spalding, Talbot, Walker and Winn.

Those in the negative, are Messrs. Alston, Baker, Battel, Blackmon, Byne, Cook, Daniel, Dooly, Fannin, Fulgham, Fulwood, Hardie, Hatcher, Lane, Little, Lumpkin, Montgomery, Nesbit, Newsom, Piles, Pope, Powell, Rawles, Swain, Watts, Watkins and Wood.

A message from the House of Representatives by Mr. Clayton their Clerk.

Mr. President ;

The House of Representatives have agreed to the report of the committee appointed to make enquiry relative to the several duties required of the Governor by concurred resolutions of the last Legislature ;

They have passed the bill from Senate to be entitled an act, to make permanent the scite of the public buildings for the county of Telfair ;

And the bill to be entitled an act, to amend an act, entitled an act, to make permanent the scite of the public buildings in the town of Hartford, in the county of Pulaski.

They have passed the following bills ;

A bill to be entitled an act, to authorise Wm S Lancaster to raise a wing of a mill dam in the Ocmulgee river, opposite to Hartford in the county of Pulaski ;

A bill to be entitled an act, to authorise the mustering of a portion of the militia of Camden county at the town of St Mary's ;

A bill to be entitled an act to alter and amend an act, entitled an act, to raise a tax for the support of government for the political year, 1813 ;

A bill to be entitled an act, to alter and amend an act, entitled an act, to regulate the town of Monticello in the county of Jasper ;

A bill to be entitled an act, to authorise John Jeter to establish a ferry across the Oconee river, at the landing of said ferry, on the premises of said John Jeter—and he withdrew.



The Senate took up the message, and the said several bills were read the first time.

Ordered, that the report of the committee on the several duties of the Governor do lie on the table.

Mr. Spalding called up the resolution on the subject of Adams and Duyckinck, which being read, was agreed to, and is as follows ;

Whereas a resolution passed the last session of the General Assembly requesting and authorising his Excellency the Governor, to put in suit the bond of Adams and Duyckinck, printers, who had contracted for the printing of a compilation of the Laws and Resolutions of this state passed since the political year 1800 : And in pursuance thereof, suit having been commenced, and which is now pending in the county of Richmond, against the said Adams and Duyckinck and their securities, upon the bond given for the performance of said contract ;

And whereas there is reason to believe that the state of war into which our country has been forced by the aggressions and injustice of Great Britain—that enemy to the repose and tranquility not only of America, but the whole human family ; has had a tendency, & in a considerable degree, to retard the progress of the work, if not to prevent its completion—which state of things could not have been foreseen or anticipated by the contracting parties at the time of entering into such contract ;

And whereas the Legislature of this state have deemed it expedient to suspend the enforcement of contracts in ordinary cases between individuals,

from a conviction, that to compel a compliance therewith, would greatly tend to the oppression, if not the impoverishment of the good citizens of this state ;

And whereas the prosecution of the suit aforesaid in these times of difficulty would operate to the embarrassment, if not to the ruin of the said Adams and Duyckinck and their securities ; and the promulgation of the laws of this state being the end and design of the contract so entered into as aforesaid ;

Be it therefore resolved, that His Excellency the Governor be authorised and required to receive from the said Adams & Duyckinck or their securities, or any one of them, 2000 printed & bound copies of a compilation of the laws of Georgia, made by A. S. Clayton esq. from 1800 to 1810, so that they be executed in terms of the contract. And upon the receipt thereof, the contract shall be considered as complied with and performed—provided the said books be delivered at the State-house, in Milledgeville, on or before the first day of October next. And upon compliance with this resolution, His Excellency the Governor shall authorise and require the Attorney General to dismiss the suit so commenced, at the cost of the defendants.

Mr Fort from the committee reported on the petition of Drury Williams, to wit :

The committee to whom was referred the petition of Drury Williams stating that he had purchased a fraction of land on the Ocmulgee, No. 216, in the 28th Wilkinson, now Twiggs

county, and that said fraction was in no part to be found ;

They are therefore of opinion that the prayer of the petitioner is reasonable and ought to be granted, and recommend the following resolution ;

Resolved, that the Treasurer be authorised and requested to credit the bond or bonds of the said Drury Williams with the amount that the said fraction 216 sold for, together with the interest accruing on the same—provided the said Drury Williams do return to the Secretary of State's office, the grant of the said land, with a receipt on the grant expressive of full satisfaction.

Ordered, that the report do lie on the table

The bill to be entitled an act, for the relief of persons who are now in the service of the United States from this state was taken up, read the 3d time and passed.

The following bills were severally taken up and read the second time, viz.

A bill to be entitled an act, to authorise the Judges of the Inferior court of the county of Baldwin to levy an extra tax.

Ordered for a 3d reading.

A bill to be entitled an act, to amend the militia laws of this state.

Ordered for a committee of the whole.

A bill for the relief of John D'Antignac, esquire, Tax Collector for the county of Richmond, for the years 1811 and 1812.

Ordered for a committee of the whole.

A bill to be entitled an act, to amend

an act, entitled an act, for the limitation of actions, and for avoiding suits in law.

Ordered for committee of the whole on to morrow.

The Senate resolved itself into a committee of the whole on the bill to be entitled an act, to amend an act, entitled an act, more effectually to open and keep in repair the public roads, causeways and bridges in this state, passed on the 16th December, 1811—Mr. Nesbit in the chair—Mr. President resumed the chair, and Mr. Nesbit reported that they had gone through the bill with amendments.

The Senate took up the report, and the amendments were agreed to.

Whereupon the said bill was read the 3d time and passed.

The Senate resolved itself into a committee of the whole on the bill to be entitled an act, to revise, amend & consolidate the several patrol laws in this state—Mr. Battel in the chair—Mr. President resumed the chair, and Mr. Battel reported progress and had leave to sit again.

Mr. Walker called up the resolution on the subject of appropriating six hundred dollars to the purchase of furniture for the government house, and the same being again read, was disagreed to.

Adjourned till 10 o'clock to-morrow morning.

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TUESDAY, 23d. Nov. 1813.

The President of Senate returned and took his seat.

Mr. Blackmon had leave to intro-

duce a bill to be entitled an act to authorise the Justices of the Inferior courts for the counties of Tainall and Emanuel to draw grand and petit Juries, which was read the first time.

A message from the House of Representatives by Mr. Clayton their Clerk.

Mr. President,

The House of Representatives have passed a bill to be entitled an act, to authorise constables to open and attend elections in certain cases, and a bill to be entitled an act, vesting in Richard Montgomery Dimon certain property therein mentioned, and he withdrew.

The senate took up the message and the said bills were severally read the 1st time.

Mr. Fannin presented a petition from the county of Jasper, which was read and referred to Messrs. Fannin and Baker, a joint committee to join any committee from the House of Representatives.

The senate resolved itself into a committee of the whole, on the bill to be entitled an act, to amend an act, entitled an act, for the limitation of actions, and for avoiding suits in law.

Mr. Byne in the chair—Mr. President resumed the chair—and Mr. Byne reported that they had gone through the bill with sundry amendments.

The senate took up the report and the amendments were read and agreed to.

Whereupon the said bill was read the third time and passed as amended.

The Senate resolved itself into a committee of the the whole, (agreea-

bly to the order of the day) on the bill to be entitled an act, to consolidate the funds of this state, and establish a Bank thereon;

Mr. Daniel in the chair—Mr. President resumed the chair—and Mr. Daniel reported that they had made progress and had leave to sit again tomorrow.

Mr. Dooly moved that the following resolution be taken up for consideration, to wit:

Resolved, That it is the opinion of this Legislature that the presence and military talents of Major Gen. John Clark, are wanting to take the command of our army, which is now penetrating the Creek Nation of Indians.

Be it therefore requested, that His Excellency the Governor, will immediately direct General Clark to proceed forthwith to the head quarters of said army, for the purpose of taking the command of, and conducting the campaign, until said army shall be discharged. And on the question to agree, it was determined in the negative, & the yeas & nays being required are, Yeas—Messrs. Alston, Battell, Blackmon, Dooly, Fulgham, Fulwood, Hatcher, Lane, Pope, Swain, Talbot, Walker, and Wood.

Those in the negative, are Messrs. Baker, Blair, Byne, Cook, Daniel, Fannin, Fort, Hardie, Irwin, Jones, Little, Lumpkin, Montgomery, Newsom, Piles, Powell, Pray, Rawles, Scruggs, Spalding, Watts, Watkins and Winn.

On motion of Mr. Walker,

Whereas the present aspect of our affairs requires that every attention should be paid to the arming the dif-

ferent military corps within this state—and it being represented that the troop of light dragoons in Richmond county are in want of swords and pistols ;

Be it therefore resolved, that His Excellency the Governor be, and he is hereby authorised and requested to purchase, or cause to be purchased for the use of the Richmond Volunteer Dragoons, thirty pair of Pistols and 30 Swords ; and that he be authorised and requested to draw on the contingent fund of the current year, for such sum as he may think sufficient for that purpose—which Pistols and Swords when purchased, shall be delivered, upon application, to the Captain of said troops, to be by him distributed upon his giving a receipt therefor, and being accountable for their return to the state.

Mr Blair moved that the resolution be amended by adding, “ also to the troops of Scriven county, the number of fifty pair of Pistols and fifty Swords.”

On the question to agree to the resolution and the amendment, it was determined in the negative.

Adjourned till 10 o'clock to-morrow morning.

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WEDNESDAY, 24th Nov. 1813.

On motion of Mr. Walker,

Resolved, That the minutes of yesterday be reconsidered on the resolution therefore authorised and required to furnish swords and pistols to the Richmond light dragoons, & that the said resolution do lie on the table.

Mr. Hatcher had leave to introduce

a bill to be entitled an act, to divorce Samuel Berry & Nancy his wife, formerly Nancy Willis, which was read the first time.

On motion of Mr. Scruggs,

Resolved, That James M. Wayne, esq. be, and he is hereby appointed a Notary Public for the county of Chatham.

Mr. Alston presented and reported a bill to be entitled an act, to add a part of the county of Emanuel to the county of Montgomery, which was read and ordered to lie on the table.

The Senate resolved itself into a committee of the whole on the bill to be entitled an act, to add a part of Hancock county to the county of Baldwin—Mr. Byne in the chair—Mr. President resumed the chair, and Mr. Byne reported, that they had gone through the bill with an amendment.

The Senate took up the report, and the amendment was agreed to

Whereupon the said bill was read the third time and passed

The bill to be entitled an act to authorise the Inferior court of Baldwin county to levy an extra county tax, was read the third time and passed.

The following bills were taken up and read the 2d time, viz.

A bill to be entitled an act, to authorise John Jeter to establish a ferry across the Oconee river, at the landings of said ferry on the premises of said John Jeter.

Ordered for a third reading.

A bill to be entitled an act, to authorise William S. Lancaster to raise the wing of a mill dam in the Ocmulgee river, opposite to the town of

Hartford.

Ordered for a committee of the whole.

A bill to be entitled an act, to alter and amend an act, entitled an act, to regulate the town of Monticello in the county of Randolph.

Ordered for a 3d reading.

A bill to be entitled an act, vesting in Richard Montgomery Dimond, certain property therein mentioned.

Ordered for a committee of the whole.

A bill to be entitled an act, to authorise the mustering of a certain proportion of the militia of Camden county, at the town of St. Mary's, in said county.

Ordered for a third reading.

A bill to be entitled an act, to alter and amend an act, entitled an act, to raise a tax for the support of government for the political year 1813

Ordered for a committee of the whole.

A bill to be entitled an act, to authorise Constables to open and attend elections in certain cases.

Ordered for a committee of the whole.

And a bill to be entitled an act, to authorise the Justices of the Inferior courts for the counties of Tatnall and Emanuel to draw grand and petit jurors.

Ordered for a third reading.

The Senate resolved itself into a committee of the whole on the bill to be entitled an act for the relief of John D'Autignac—Mr. Newsom in the chair—Mr. President resumed the chair, and Mr. Newsom reported, that they had gone through the bill with a-

mendments.

The Senate took up the report, which was read and agreed to.

The Senate resolved itself into a committee of the whole on the bill to be entitled an act, to amend the militia law of this state—Mr. Powell in the chair—Mr. President resumed the chair, and Mr. Powell reported, that they had gone through the bill with an amendment.

The Senate took up the report, and it was agreed to.

Whereupon the said bill was read the third time, and on the question, shall this bill now pass, it was determined in the affirmative, and the yeas and nays being required, are Yeas 30—Nays 3.

Those in the affirmative, are Messrs Alston, Baker, Battel, Blackmon, Blair, Byne, Cook, Daniel, Fannin, Fort, Fulgham, Fulwood, Hatcher, Irwin, Jones, Lane, Little, Lumpkin, Montgomery, Nesbit, Pope, Powell, Pray, Spalding, Swain, Talbot, Watts, Watkins, Winn and Wood.

Those in the negative, are Messrs, Newsom, Piles and Scruggs.

On motion of Mr. Battel,

The Senate took up the report of the committee of Finance on the subject of John Ragan's bond, which was read and concurred in.

On motion of Mr. Fort,

The Senate took up the report of the committee to whom was referred the petition of Drury Williams, and the same being read, was ordered to lie on the table.

Mr. Hatcher from the committee reported a bill to be entitled an act, to divorce John Douglass and Jane his

which was read the first time.

The Senate resolved itself into a committee of the whole on the bill to be entitled an act, to prevent persons from trespassing upon lands and cutting down timber, &c.—Mr Fulgham rose from the chair—Mr. President resumed the chair, and Mr. Fulgham reported progress and had leave to sit again.

A message from the House of Representatives by Mr. Clayton their clerk.

Mr. President ;

The House of Representatives have agreed to the amendment to the bill to make permanent the public buildings in the county of Montgomery, &c.

They have concurred in a joint committee to take under consideration the petition of a number of inhabitants of Jasper county ;

They have passed a resolution respecting the commissioners of the Academy of Jackson county ;

They still adhere to their amendment made to the resolution on the subject of Gun Boats, &c. ;

They have disagreed to the amendments made by the Senate to the bill giving further time to the fortunate drawers in the late land lotteries to take out their grants.

And have passed a bill to be entitled an act, giving further time to John Hardee to pay up money due by him to this state ; and,

A bill to be entitled an act, to transfer and appropriate for county purposes, the State-house property in Louisville, to the Justices of the Inferior court of the county of Jefferson—and he withdrew.

The Senate took up the message,

and concurred in the resolution on the subject of the Commissioners of Jackson county.

And on the question to recede from their amendments made to the bill giving further time to the fortunate drawers in the late land lotteries to take out their grants, it was determined in the negative, and the yeas and nays being required, are yeas 18—nays 18.

Those in the affirmative are, Messrs Baker, Battel, Blair, Cook, Daniel, Fannin, Hatcher, Irwin, Lane, Little, Montgomery, Newsom, Pope, Scruggs, Spalding, Swain, Watkins and Winn.

Those in the negative, are Messrs. Alston, Blackmon, Byne, Fort, Fulgham, Fulwood, Hardie, Jones, Lumpkin, Nesbit, Piles, Powell, Pray, Rawles, Talbot, Walker, Watts and Wood

There being a tie, the President voted in the negative

Whereupon, resolved, that the Senate do adhere to the amendments made to the said bill, and that Messrs Walker, Powell and Wood be a committee on the part of the Senate to confer with a committee from the House of Representatives on the subject matter in dispute.

Resolved, That the Senate do still disagree to the amendment made by the House of Representatives to the resolution on the subject of Gun-Boats, &c.—and agree to the committee of conference on that subject, and that Messrs Spalding, Cook and Battel be the committee on the part of the Senate.

And the bills in said message were severally read the 1st time.

Adjourned 'till to-morrow morn-  
ing 10 o'clock.

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THURSDAY, 25th Nov. 1813.

Mr Byne had leave to introduce a bill to be entitled an act, to quiet and confirm the titles of persons who have purchased lots from, and under the Commissioners of the town or academy of Waynesborough in the county of Burke, & for other persons, which was read the first time.

Mr. Daniel presented a petition from — Goodlett of S. Carolina, which was read and referred to a special committee.

Ordered, That Messrs. Daniel, Montgomery and Pope be that committee.

The Senate resolved itself into a committee of the whole on the bill to be entitled an act, to consolidate the funds of this state, and establish a Bank thereon—Mr. Talbot in the chair—Mr. President resumed the chair, and Mr. Talbot reported that they had gone through the bill with amendments.

The Senate took up the report, which was ordered to lie on the table.

The following bills were taken up and read the 2d time.

A bill to be entitled an act, to alter the time of holding the Superior courts for the county of Wilkes.

Ordered for a third reading.

A bill to be entitled an act, to give further time to John Hardee to pay money due by him to this state.

Ordered for a committee of the

whole.

A bill to divorce Samuel Berry and Nancy his wife, formerly Nancy Willis.

Ordered for a committee of the whole.

A bill to be entitled an act, to transfer and appropriate for county purposes, the State-house property in Louisville, to the Justices of the Inferior court of the county of Jefferson.

Ordered for a committee of the whole.

A bill to be entitled an act, to divorce and separate John Douglass and Jane his wife.

Ordered for a committee of the whole.

The bill to be entitled an act, to authorise John Jeter to establish a ferry across the Oconee river, the landing of said ferry on the premises of John Jeter, was taken up and read the 3d time and passed.

The bill to be entitled an act, to alter and amend an act, entitled an act, to regulate the town of Monticello in the county of Randolph was taken up, read the 3d time and passed.

The bill to be entitled an act, to authorise the Justices of the Inferior court for the county of Tatnall and Emanuel to draw grand and petit jurors, was read the third time and passed.

The Senate resolved itself into a committee of the whole on the bill to be entitled an act for the relief of John Boog—Mr. Watkins in the chair—Mr. President resumed the chair and Mr. Watkins reported that they had gone through the bill with amendments.

The Senate took up the report which was agreed to

Whereupon the bill was read the 3d time and passed.

The Senate resolved itself into a committee of the whole on the bill for the relief of Montgomery Dimond. Mr. Blair in the chair ; Mr. President resumed the chair ; and Mr. Blair reported no amendments.

Whereupon the said bill was read the third time, and on the question shall this bill now pass, it was determined in the affirmative and the yeas and nays being required—are yeas 20—Nays 18.

Those in the affirmative are Messrs Battel, Blackmon, Blair, Byne, Fulwood, Hardie, Irwin, Jones, Lane, Newsom, Piles, Pope, Scruggs, Spalding, Swain, Talbot, Walker, Watkins, Winn and Wood.

Those in the negative, are Messrs. Baker, Cook, Daniel, Fort, Fulgham, Hatcher, Little, Montgomery, Nesbit, Powell, Pray, Rawles and Watts.

The bill to be entitled an act, to authorise the mustering of a portion of the militia of Camden county, at the town of St. Mary's, in said county, was taken up, read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to authorise William Lancaster to raise the wing of a mill-dam in the Ocmulgee river, opposite the town of Hartford—Mr. Swain in the chair—Mr. President resumed the chair—and Mr. Swain reported progress, and had leave to sit again in June next.

On motion of Mr. Jones,

Whereas it appears by a report of the committee on Finance, made to the House of Representatives on the 30th November, 1812, that there then was in the Treasury of this state, the sum of 184,716 dollars 47 1-2 cents, the balance of 500,000 dollars, the sum originally deposited by the Yazoo speculators, of which sum, 49,445 dollars 50 cents is stock of the United States, purchased by the then Governor Mathews, who sanctioned and approved the act under which the said deposit was made, and that the said purchase was, as it is said, authorised by the Legislature which passed the act for selling a considerable portion of the Western territory of this state to certain companies ; and which act was declared to have been corruptly passed, and the said act, & all proceedings of the said Legislature having any relation to said sales, were declared null & void, by an act passed the 13th February, 1796, commonly called the rescinding act.

And by the 4th section of the said act, the said stock of the United States is transferred to the said Yazoo speculators, and directed to be paid back to the said speculators, in the words following : “ That His Excellency the Governor be empowered and required to issue warrants on the Treasurer, after the expiration of 60 days, in favor of such persons as may have bona fide deposited monies, bank bills, or *stock in the funds of the United States*, or warrants in part or in whole payment of pretended shares of the said pretended purchased territory—provided the same shall be now therein, and not otherwise—And by the



1st section of an act, to extend the time for the pretended purchasers of the Western territory of this state to receive the sums they deposited in the treasury, &c it is enacted, that his Excellency the Governor be, and he is hereby empowered and required to issue warrants on the treasurer from and immediately after the passing of this act, in favor of such persons as may have bona fide deposited money, bank bills, or *stock in the funds of the United States*, or warrants in part or in whole payment of pretended shares of the said pretended purchased territory, under an usurped act, passed at Augusta on the 17th day of January, in the year 1795, &c."

And whereas by the 24th section of the 1st article of the Constitution of this state, it is declared that "the foregoing section of this article having declared the common right of the free citizens of this state, in & to all the territory without the present temporary boundary line, and within the limits of this state, thereby defined, by which the contemplated purchases of certain companies of a considerable portion thereof, are become constitutionally void; and justice and good faith require, that the state should not detain a consideration for a contract which has failed: the Legislature at their next session, shall make provision by law, for returning to any person or persons, who has or have bona fide deposited monies for such purchases in the Treasury of this state—provided, that the same shall not have been drawn therefrom in terms of

"the act passed the 13th February 1796, commonly called the rescinding act, or the appropriation laws of the years 1796 and 1797, nor shall the monies paid for such purchases, ever be deemed a part of the funds of this state, or be liable to appropriation as such; but until such monies be drawn from the Treasury they shall be considered altogether at the risque of the person who have deposited the same."

And whereas the said sum of 49,445 dollars 50 cents, being stock of the United States, was purchased by the monies aforesaid, and was at the adoption of the aforesaid constitution, considered as part of the monies paid for such purchases, and by the laws of the United States, a part of the principals of stock, with the interest is paid annually, under the denomination of a dividend, and as it is well known that interest is defined to be the profit to the person granting a loan, being the owner of a principal sum;

Now be it declared and resolved, That it is, and is hereby declared to be, the true construction of the said 24th section of the 1st article of the constitution, that the interest arising from the said sum of 49,445 dollars 50 cents, in stock of the United States, being the profit arising from the said stock purchased by the said monies paid for such purchases, and therefore ought not, nor cannot "ever be deemed a part of the funds of this state, or be liable to appropriation as such."

And be it further resolved, That His Excellency the Governor be

heretofore authorised and required to cause the said sum of 49.445 dollars and fifty cents, and all interest due thereon, to be forthwith returned and placed with the other monies commonly called the Yazoo deposit, and that it shall be ever hereafter considered as belonging to the said Yazoo deposit, and shall be paid to the person or persons who has or have bona fide deposited monies for such purchases, agreeably to the Constitution and laws of this state.

Which being read was ordered to lie on the table.

A message from the House of Representatives by Mr. Clayton their Clerk

Mr. President ;

The House of Representatives have passed a resolution authorising the Commissioners of Milledgeville to lease a lot to Thomas B. Stubbs and William M'Gehee, at the mouth of Fishing creek ;

They have agreed to the report of the joint committee appointed to enquire into a violation of the non-intercourse laws, and a fraud practised by A. M. Devereux and others, upon the revenue of the United States ;

They have passed a bill to be entitled an act, to amend an act, for the regulation & government of the town and common of Brunswick ;

And a bill to be entitled an act, to divorce William Chauvin and Ann his wife—and he withdrew.

Ordered that the message do lie on the table.

Adjourned 'till 9 o'clock to-morrow morning.

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FRIDAY, 26th November, 1818.

On motion of Mr Fulgham,

Resolved, That the minutes of yesterday be reconsidered, so far as relates to the bill to be entitled an act, to authorise William S. Lancaster to raise the wing of a mill dam in the Ocmulgee river, opposite to the town of Hariford

Ordered that the said bill lie on the table.

The bill to be entitled an act, to grant and confirm the titles of persons who have purchased lots from, and under the Commissioners of the town or Academy of Waynesborough in the county of Burke, and for other purposes, was taken up and read the 2d time.

Ordered for a 3d reading.

On motion of Mr. Newsom,

The Senate took up the resolution on the petition of Nehemiah Dunn, which being read, was agreed to, and is as follows :

The committee to whom was referred the petition of Nehemiah Dunn, as parent and natural guardian of Elijah Dunn and Benajah Nunn, Minors,

#### REPORT,

That they have examined the vouchers accompanying the same, wherein it appears that Daniel Willicon in the year 1783 purchased of the Commissioners of Confiscated property, a certain tract of land containing four hundred and fifty acres, originally granted to William Jackson on the 3d day of October, 1769, situate and lying in the parish of St. Paul, now Columbia county, which said tract of land was sold as the pro-

perty of William Manson.

And whereas the aforesaid Daniel Willicon did, by his last will and testament, bearing date the 5th day of September, 1789, give and bequeath the same unto Jeremiah Wood, who did convey the same to the said Elijah and Benajah Dunn by deed of conveyance, bearing date the 22d day of March 1803.

And whereas it appears that the bond given for the purchase money of the said tract of land has been fully discharged and paid off, and that there has been no deed of conveyance heretofore made by the Commissioners of Confiscated property, recommend the following resolution ;

Resolved by the Senate and House of Representatives in General Assembly met, That the present Commissioners of Confiscated property, or a majority of them do make and execute titles for the said 450 acres of land to the said Elijah Dunn and Benajah Dunn, and the said resolution being read, was agreed to.

The Senate again took up the resolution on the petition of Drury Williams, and the same being read, was agreed to.

The Senate again took up the report of the committee on the petition of John M'Queen, which being read, was agreed to, and is as follows :

The committee to whom was referred the petition of John M'Queen, stating that in the year 1803, he delivered to John M'Kinnon, as Commissioner of confiscated estates, certain plats and grants of land, amounting to 13 354 acres—that on the 24th day of December, 1810, 7,200 acres of

the said lands were sold at public sale in Milledgeville, for 34,012 dollars ; and that the said John M'Kinnon bought in for, and by desire of the petitioner, the Jefferson tract of land, containing 3,000 acres, the titles for which, the petitioner has not received, and praying that titles may be ordered to him for the said 3,000 acres, which includes 2,000 acres granted to Sir James Wright ; 500 acres granted to Thomas Moodie ; and ~~500 acres~~ granted Charles West, as the property of the said Sir James Wright, excepting the town of Jefferson, which is by law excepted,

#### REPORT,

That they have examined the documents, and find the facts correct, as stated in the said petition. They therefore beg leave to recommend the following resolution :

Resolved, That the Commissioners of Confiscated estates, or a majority of them, do now make and execute titles for three thousand acres, on Great Satilla river in Camden county, consisting of three several tracts, that is to say, two thousand acres granted Sir James Wright ; 500 acres granted Thomas Moodie ; and five hundred acres granted Charles West, reserving the town of Jefferson, as by law is excepted, which said tract consisting three thousand acres, was sold in November 1810, as the property of Sir James Wright, for the sum of 15,000 dollars, and bid off by the said John M'Kinnon, one of the said Commissioners for the said John M'Queen ; he the said John M'Queen giving his bond for the purchase money, after deducting twenty per cen

to which he is entitled as informant for the amount of sales of 7,200 of land, which were sold for 12 dollars, in audited certificates, when the remaining 6154 a- shall be sold.

And be it further resolved, that the said John M'Kinnon one of the said commissioners be, and he is hereby required to deliver to the Treasurer of this state, all the grants and plats which were delivered to him by the said John M'Queen, Esq. agreeably to a list or schedule thereof, signed by the said John M'Kinnon which shall be lodged with the said Treasurer and when the balance of said sales shall be sold, the sum of twenty per cent on the sales thereof shall also be credited on the bond of the said John M'Queen, and the balance of the said bond shall be then paid by the said John M'Queen.

On motion of Mr. Walker,

The resolution on the subject of furnishing swords and pistols to the Richmond and Scriven Light Dragoons was taken up, and the same being again read was disagreed to.

Mr. Spalding from the committee of conference on the subject matter relative to the disagreement of the House of Representatives, to a resolution originating in Senate respecting the protection of our sea coast by gun boats. Reported that your committee unanimously beg leave to recommend that the Senate recede, and that the preamble read in the following words:

Whereas it is the opinion of all men well informed upon the subject, and with whom experience has com-

bined with local information, to enable them to judge justly, that a naval force affords the best protection for the defence of the sea coast, which being read was agreed to.

The bill to be entitled an act, to alter the time of holding the Superior courts for the county of Wilkes, was taken up and read the 3d time, and passed.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to authorise Constables to open and attend elections in certain cases—Mr. Blackmon in the chair—Mr. President resumed the chair, and Mr. Blackmon reported that they had gone through the bill without amendment.

Ordered that the report do lie on the table.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to transfer and appropriate for county purposes, the State house property in Louisville to the Justices of the Inferior court of the county of Jefferson—Mr. Spalding in the chair—Mr. President resumed the chair, and Mr. Spalding reported that they had gone through the bill without any amendment.

The Senate took up the report.

On motion of Mr. Daniel,

That the report of the committee of the whole, be amended, and that the following be reported as the amendment to the said bill, to commence from the caption thereof, and be in lieu of the original bill.

That His Excellency the Governor be, and he is hereby authorised to empower one or more proper per-

sons to sell and dispose of the State-house in Louisville, together with the lot or public square belonging to the state, to the highest bidder, taking bond and approved security from the purchaser, payable in three equal annual instalments, first giving public notice in two or more of the public Gazettes of this state, at least 60 days previous to the sale thereof.

On the question to agree, it was determined in the affirmative.

Mr. Daniel then moved, that the title of said bill be amended to read after the word act, to sell and dispose of the State-house lots and public square in the town of Louisville, and the amendment being read was agreed to.

Whereupon the said bill was read the third time and passed, as amended under the title of a bill to be entitled an act, to sell and dispose of the State house lots and public square in the town of Louisville.

Ordered that the said bill be carried to the House of Representatives for concurrence.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to alter and amend an act, entitled an act, to raise a Tax for the support of Government, for the political year 1813—Mr. Irwin in the chair—Mr. President resumed the chair, and Mr. Irwin reported progress and had leave to sit again.

The Senate resolved itself into a committee of the whole, on the bill for the relief of Major John Hardie—Mr. Fort in the chair—Mr. President resumed the chair, and Mr. Fort reported that they had gone through the

without amendment.

The Senate took up the report whereupon the bill was read the 3d time and passed.

The Senate took up the report of the committee of the whole, on the bill to be entitled an act, to consolidate the funds of this state and establish a bank thereon.

On motion of Mr. Jones, to strike out from the word "at" to the words "and to prevent frauds" and insert the following as an amendment, at the rate of six per centum per annum, by discounting notes payable at sixty or ninety days after date, deducting upon the amount the interest at the rates aforesaid, till the said note shall become due, taking security on real or personal property, for the repayment of the money, and on the question to agree it was determined in the negative, and the yeas and nays being required, are yeas 11—nays 21.

Those in the affirmative are, Messrs Baker, Byne, Cook, Jones, Lumpkin, Montgomery, Powell, Scruggs, Talbot, Walker and Winn.

Those in the negative, are Messrs Alston, Battel, Blackmon, Blair, Daniel, Fort, Fulgham, Fulwood, Hardie, Irwin, Lane, Little, Nesbit, Newsom, Piles, Pope, Rawles, Spalding, Swain Watts and Wood.

Mr. Daniel moved that the following clause be inserted in said bill

And be it further enacted, That all bills issued by the President and Directors of said bank, shall be received in payment of any monies due this state for taxes or otherwise, which being read was agreed to.

Whereupon the said bill was read

Bill the third time, & on the question shall this bill now pass it was determined in the affirmative and the yeas and nays being required are yeas 17 — nays 15.

Those in the affirmative are Messrs Alston, Battel, Blackmon, Blair, Fort, Fulgham, Fulwood, Hardie, Irwin, Lane, Nesbit, Newsom, Piles, Spalding, Swain, Watts and Wood.

Those in the negative, are Messrs. Baker, Byne, Cook, Daniel, Jones, Little, Lumpkin, Montgomery, Pope, Powell, Rawles, Scruggs, Talbot, Walker and Winn.

On motion of Mr. Spalding,

The Senate took up the resolution on the message of this day, on the subject of a certain tract of land on the Island of St. Simons, confiscated property, and sold to Geo. Bulie and since reverted to the state; and

Resolved, That the Senate do concur in the amendment made by the House of Representatives to said resolution

Mr. Walker from the joint committee of conference on the subject matter of disagreement between the two branches of the General Assembly relative to the bill extending the time for fortunate drawers in the late land lotteries of this state to take out their grants,

#### REPORTED,

That they have agreed to amend the caption of said bill to read as follows, to wit:

To authorize the fortunate drawers in the late land lotteries in this state to take out their grants, until the 20th day of November 1814, and after that date to authorise any citizen

of this state to take out grants in said lotteries: and they recommend that the Senate recede and concur with the House of Representatives, so far as relates to the time allowed for fortunate drawers to take out their grants; and that the House of Representatives recede and concur with Senate in the amendment proposed by Senate after striking out the 1st day of June, and inserting the 10th day of November, which being read was agreed to.

Adjourned till 10 o'clock to-morrow morning.

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SATURDAY, 27th Nov 1813.

On motion of Mr Powell,

Resolved, That the Senate do reconsider the minutes of yesterday, so far as relates to the passage of the bill entitled an act, to consolidate the funds of this state, and to establish a bank thereon.

And on the question to agree, it was determined in the negative, and the yeas and nays being required, are Yeas 16 — Nays 18.

Those in the affirmative, are Messrs Baker, Byne, Cook, Daniel, Hatcher, Jones, Little, Lumpkin, Montgomery, Pope, Powell, Rawles, Scruggs, Talbot, Walker and Winn.

Those in the negative, are Messrs. Alston, Battel, Blackmon, Blair, Dooly, Fannin, Fort, Foster, Fulgham, Fulwood, Hardie, Irwin, Nesbit, Newsom, Piles, Swain, Watts and Wood.

Mr Daniel moved to reconsider the minutes of yesterday, so far as relates to the resolution on the subject of the petition of the Commissioners

of the Academies in the counties of M'Intosh and Glynn, and on this question, it was disagreed to.

On motion of Mr. Walker,

Resolved, That Augustus Moore be, and he is hereby appointed a Literary Public for the City of Augusta and county of Richmond.

Mr Baker presented a petition from a number of the inhabitants in the county of Jasper, praying the Legislature to remove from office, Saml Townsend, which was read and referred to a special committee.

Ordered that Messrs Baker, Montgomery and Cook be that committee.

Mr Jones called up the resolution on the subject of the Yazoo deposit and the United States Bank Stock arising from that deposit, which being read was amended.

And on the question to agree to the resolution as amended, it was determined in the negative, and the yeas and nays being required, are Yeas 7—Nays 20.

Those in the affirmative are, Messrs Foster, Irwin, Jones, Lumpkin, Newsum, Scruggs and Winn.

Those in the negative are, Messrs Alston, Baker, Battel, Blackmon, Blair, Byne, Cook, Daniel, Fannin, Fort, Fulgham, Fulwood, Hatcher, Lane, Little, Montgomery, Nesbit, Powell, Swain and Watts.

Mr. Hardie introduced a bill to be entitled an act, to authorise William Scott to establish a mill on the road, leading from Bull town swamp to Fort Burington on the Alutamaha, thro' M'Intosh connty, which was read the 1st time.

The Senate proceeded to take up

the several messages from the House of Representatives, and concurred in the resolution appointing John Wingfield a Commissioner of the Morgan county academy, and the several bills therein contained were read the 1st time; they concurred in the resolution on the subject of violating the non intercourse law, with the following amendment.

And the conduct of the hon. Wm. Stevens, Judge of the District court for the Georgia district, and Abraham Bessent, Collector of the port of St. Mary's being implicated by the documents submitted to your committee, they deem it a duty they owe to the good people of the State of Georgia, as well as from a sacred regard to individual character, recommend the following resolution;

Resolved that the documents upon this subject be transmitted by His Excellency the Governor, to the Representatives of this state, in the Congress of the United States, that a full and fair investigation of the conduct of the persons implicated may be had before the proper tribunal.

And the resolution being read as amended, was agreed to, and is as follows:

The committee appointed to enquire into the facts relative to a violation of the non intercourse laws of the United States, and a fraud practised on the revenue of the said United States, by Archibald M. Devereux & other persons. And the conduct of the hon. William Stevens, Judge of the District court for the Georgia district, and Abraham Bessent, Collector of the port of St. Mary's being impli-

ated by the documents submitted to our committee, they deem it a duty they owe to the good people of the state of Georgia, as well as from a sacred regard to individual character, do recommend the following resolution ;

Resolved, That the documents upon this subject be transmitted by his Excellency the Governor to the Representatives of this state in the Congress of the United States, that a full and fair investigation of the conduct of the persons implicated, may be had before the proper tribunal.

Ordered that the remainder of the message do lie on the table.

Mr. Newsom from the committee of enrollment reported as duly enrolled and signed by the Speaker of the House of Representatives, the following acts.

An act, entitled an act, to amend an act, to make permanent the site of the public buildings in the town of Hartford in the county of Pulaski.

An act, to make permanent the site of the public buildings in Telfair county.

An act, to make permanent the site of the public buildings in the county of Montgomery, and to authorise the Justices of the Inferior court of said county to select and draw Grand and petit Jurors for the spring term, 1814.

An act, to amend an act, regulating roads in this state, so far as respects the county of Glynn ; and

An act, to authorize the Judge of the Superior courts in the middle circuit to hold an extra session in the county of Washington ; which said several acts were presented to and sign

ed by the President of Senate.

Ordered that the committee of enrollment do carry said acts to His Excellency the Governor for his revision.

The bill to be entitled an act, to quiet and confirm the titles of persons who have purchased lots from and under the Commissioners of the town & Academy of Waynesborough in the county of Burke, and for other purposes, was taken up and read the 3d time and passed.

The bill to be entitled an act, to divorce Samuel Berry and Nancy his wife was taken up and read the third time, and on the question, shall this bill now pass, it was determined in the negative, and the yeas and nays being required, are yeas 11—nays 17.

Those in the affirmative are, Messrs Blackmon, Fannin, Fort, Irwin, Lane, Newsom, Powell, Swain, Talbot, Walker and Winn.

Those in the negative, are Messrs. Alston, Baker, Battel, Blair, Byne, Cook, Daniel, Fulgham, Fulwood, Hatcher, Little, Lumpkin, Montgomery, Nesbit, Rawles, Scruggs, and Watts.

The bill to be entitled an act, to authorise the Constables to open and attend elections in certain cases, was taken up and read the third time and passed

Mr. Talbot introduced a bill to be entitled an act, to authorise the Commissioners of the Academy and town of Washington in the county of Wilkes to open and keep open the streets of the said town, which was read the 1st time.

Mr. Hatcher presented petitions from the county of Wilkinson, recom-



mending the laying off this state into Congressional districts, which were read and ordered to lie on the table

Ordered, That Mr. Nesbit be added to the committee on Finance, in place of Mr. Spalding absent from Senate during the remainder of the session

Ordered, That Messrs Battel and Hatcher be added to the committee on the engrossed Journal.

Adjourned 'till Monday morning 10 o'clock.

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MONDAY, 29th Nov 1813.

The Senate took up the resolution requiring the Attorney and Solicitor General to report to his Excellency the Governor, a statement of the judgments obtained for reverted confiscated property, which was read and concurred in

A message from the House of Representatives by Mr. Clayton their Clerk.

Mr. President ;

The House of Representatives have passed a resolution on the subject of the Penitentiary ;

And have passed a bill to be entitled an act, to authorise His Excellency the Governor to settle with the United States the amount of direct tax due by Georgia, and to point out the method of reimbursing the state the said sum in part ;

And a bill to be entitled an act, to appropriate monies for the political year 1814—and he withdrew.

The Senate took up the message, and concurred in the resolution, and

the bills were read the first time.

The following bills were taken up and read the 2d time.

A bill to be entitled an act, to amend an act, for the regulation and government of the town and commons of Brunswick.

Ordered for a third reading.

A bill to be entitled an act, to authorise William Scott, sen of Camden county to establish a toll on the road leading from Bull-town Swamp to Fort Barrington, &c.

Ordered for a committee of the whole.

And a bill to be entitled an act, to authorise the Commissioners of the Academy and town of Washington in Wilkes county to open and keep open the streets of the said town.

Ordered for a third reading.

Ordered, That the bill to be entitled an act, to divorce William Chauvin and Ann his wife ;

And the bill to be entitled an act, compelling persons to return lands in Tatnall and Montgomery, &c was ordered to lie on the table for the balance of the session.

The Senate took up the resolution to change the time of six years for Senators of Congress to remain in service, and the same being read, on the question to concur, it was determined in the affirmative, and the yeas and nays being required, are Yeas 21 —Nays 8.

Those in the affirmative, are Messrs Alston, Baker, Battel, Byne, Cook, Daniel, Fannin, Fulgham, Fulwood, Hatcher, Lane, Little, Lumpkin, Montgomery, Nesbit, Newsom, Powell, Rawles, Swain, Talbot and Watkins

Those in the negative, are Messrs. Blackmon, Blair, Fort, Irwin, Jones, Scruggs, Watts and Winn.

The Senate again resolved itself into a committee of the whole on the bill to be entitled an act, to alter and amend an act, entitled an act, to raise a tax for the support of government for the political year, 1813—Mr. Scruggs in the chair—Mr. President resumed the chair, and Mr. Scruggs reported that they had gone through the bill with amendments.

Ordered that the report do lie on the table.

Mr Baker from the committee to whom was referred the petition of sundry inhabitants of the county of Jasper, recommend the following resolution ;

Be it resolved by the Senate and House of Representatives of the state of Georgia in General Assembly met, Two-thirds of each branch concurring, that it is expedient, and the public good requires, that Samuel Townsend, esq a Justice of the Peace of the county of Jasper, in district 292, in the county aforesaid, be removed from his office, as Justice of the Peace as aforesaid, and that his Excellency the Governor be requested by the powers vested in him, in the 4th section of the 5d article of the Constitution to remove forthwith the said Samuel Townsend from his office, which he now holds as a Justice of the Peace, of the district 292 in the county of Jasper and recommend to the adoption of this house, the following address, to wit ;

*His Excellency PETER EARLY;*

Whereas by the 4th section of the

5d article of the Constitution, it is among other things provided, that Justices of the Peace may be removed by the Governor on the address of two thirds of each branch of the Legislature, and sufficient reasons having been adduced in the opinion of the Senate, for the removal from office of Samuel Townsend, a Justice of the Peace in district 292 in the county of Jasper ; Your Excellency is therefore hereby on the part of Senate, requested to remove accordingly, the said Samuel Townsend, esq. whenever it shall appear to your Excellency, that two thirds of the House of Representatives shall concur with Senate in this request, which being read, was on the question to agree, determined in the affirmative, and the yeas and nays being required, are Yeas 18 —Nays 9.

Those in the affirmative are, Messrs Alston, Baker, Blackmon, Blair, Cook, Daniel, Fort, Fulgham, Fulwood, Hatcher, Lane, Nesbit, Powell, Rawls, Scruggs, Swain, Watts and Watkins.

Those in the negative are, Messrs Battel, Byne, Fannin, Irwin, Jones, Little, Newsom, Talbot and Winn.

There being barely a Constitutional majority, the President voted in the affirmative.

Mr. Daniel from the committee to whom was referred the petition of a number of the inhabitants of Oglethorpe county, praying to be added to the county of Madison, reported that they have taken the same under their consideration, and although they feel every disposition to accommodate the petitioners ; yet being unacquainted with the boundary prayed for, find

some difficulty as to the propriety of granting the prayer of the petitioners, which being read, was agreed to.

On motion of Mr. Newsom,

Whereas the patrol laws now in force in this state, are in so many detached parts, that it is difficult for persons who are liable to perform patrol duty, to know what by law is required of them ;

Resolved therefore, that a committee be appointed on the part of Senate, to join such committee as may be appointed by the House of Representatives, to carefully examine and copy all the patrol laws now in force in this state.

And be it further resolved, That the committee appointed to contract for the printing the laws and resolutions and Journals of the present Legislature, be authorised to contract for the printing of 700 copies of the the said patrol laws, to be distributed to the several Captains or commanding officers of Companies in this state, which being read, was agreed to.

Whereupon ordered, that Messrs. Newsom, Daniel and Lane be the committee on the part of Senate.

Mr. Daniel presented a petition from several inhabitants of Elbert county, praying to be added to the county of Madison, which was read and referred to a joint committee.

Ordered, That Messrs Daniel and Watkins be the committee on the part of Senate.

The Senate adjourned till 10 o'clock to-morrow morning.

—0000000000—

TUESDAY, 30th November, 1813.

On motion of Mr. Nesbit,

Resolved, That the Senate will adjourn on Friday next, sine die, and that the House of Representatives be notified of the same.

The bill to be entitled an act, to amend an act, for the regulation and Government of the town and commons of Brunswick, was taken up and read the 3d time and passed.

The bill to be entitled an act, to authorize the commissioners of the academy and town of Washington in Wilkes county, to open and keep open the streets of said town, was taken up and read the 3d time and passed.

The bill to be entitled an act, to appropriate monies for the political year, 1814, was taken up and read the second time.

Whereupon the Senate resolved itself into a committee of the whole on said bill—Mr Talbot in the chair—Mr. President resumed the chair, and Mr. Talbot reported progress and had leave to sit again.

The bill to be entitled an act, to authorise His Excellency the governor, to settle with the U. S the amount of Direct Tax due by Georgia, and to point out the method of reimbursing the state, the said sum in part, was taken up and read the second time, whereupon the Senate resolved itself into a committee of the whole on the said bill, Mr. Irwin in the chair—Mr. President resumed the chair, & Mr. Irwin reported, that they had gone through the bill with amendments.

The Senate took up the report which was ordered to lie on the table.

Ordered that the bill authorizing

William S. Lancaster to raise the wing of a mill dam in the Ocmulgee river, opposite to the town of Hartford, do lie on the table the balance of the session.

Mr. Daniel had leave to introduce a bill to be entitled an act, to establish a uniform mode to calculate interest in this state, and to prevent the collection of compound interest, which was read the 1st time.

Mr. Fort from the committee on Finance reported as follows :

The committee on Finance to whom was referred the Comptroller General's report relative to the Digest of Taxable property and Tax Collectors in default,

#### REPORT,

That they have taken the same under consideration, and are of opinion that the Law passed at the last session of the Legislature, so far as respects Receivers of Returns of Taxable property (if continued) will remedy (as far as possible) the evil complained of—

Your committee therefore beg leave to recommend the following resolution ;

Resolved, That it is the opinion of this Legislature that the Justices of the Inferior courts for the several counties within this state, to whom is confided the most important branch of revenue, ought in future to be cautious in the taking of bonds of the several Tax Collectors within this state, that good and sufficient security be given, whereby the state shall not sustain loss.

And your committee beg leave further to recommend the following, as

an enacting clause to be inserted in the bill, to be entitled an act, to alter and amend an act, entitled an act, to raise a Tax for the support of government for the political year 1813

And be it further enacted, That the Receivers of Returns of Taxable property and the Collectors of Taxes who may hereafter be appointed and qualified agreeably to Law, be, and they are hereby authorized and required to receive the returns of Taxable property & to collect the Taxes thereon for all former years since 1800, inclusive, where any county is in default for not having made their returns as required by Law—provided that the Taxes shall be assessed in conformity to the Tax Laws in force at the time such default happened ;

Which being read was ordered to lie on the table.

On motion of Mr. Scruggs,

Whereas it appears to this Legislature that Ebenezer Jencks does not keep his turnpike road in such repair as was contemplated by the act, authorising him to collect Toll on the same.

Be it therefore resolved, That if the road is not in complete repair on or before the 1st day of July next, it shall be the duty of the commissioners named in the above recited act, or their successors in office, to proceed immediately to prosecute his bond, and that the Solicitor General of the Eastern District aid them in the prosecution thereof. Which being read was ordered to lie on the table.

A message from the House of Representatives by Mr. Clayton their Clerk.

Mr. President ;

The House of Representatives have concurred in the report of the committee of conference on the bill relative to the fortunate drawers ;

They have agreed to the amendment to the bill for the relief of John D'Antignac ;

They have passed a resolution appointing Alexander Irwin & James S. Bulloch, Notaries Public for the City of Savannah and county of Chatham ;

They have appointed a joint committee on the petition of sundry persons, of Milledgeville, praying to establish a Bank in said town ;

They have agreed to a resolution on the memorial of the Mayor and Aldermen of the City of Savannah ;

And they have passed the following bills ;

A bill to amend and repeal the 2d and 3d sections of an act, to authorise the Clerks of the Superior and Inferior courts, Clerks of the courts of Ordinary, Sheriffs, Coroners and county Surveyors to hold their offices during the intervention between the electing and commissioning of their successors, and to regulate the transfer of papers and monies ;

A bill to be entitled an act, to extend the powers of the commissioners of Milledgeville ;

A bill to be entitled an act, to legalize and make valid the acts and proceedings of Sheriffs in this state in certain cases therein expressed ;

A bill to be entitled an act, supplementary to an act, entitled an act, securing to Joseph Hill, his heirs and assigns, the exclusive right of erecting three toll bridges across Savannah

river and its branches, and raising causeways across Hutchinson's island, and other islands in said river ;

And a bill to be entitled an act, authorising Judges of the Superior courts to grant writs of ne exeat in certain cases therein mentioned—and he withdrew.

The Senate took up the message, and concurred in the resolution appointing Alexander Irwin and James S. Bulloch Notaries Public for the City of Savannah ;

And in the appointment of the joint committee on the petition for a Bank in the town of Milledgeville.

Ordered, That Messrs. Battel, Lane and Wood be the committee on the part of Senate ;

And the said several bills in said message were read the 1st time.

A message from the House of Representatives by Mr. Clayton their Clerk.

Mr. President ;

The House of Representatives have passed the bill to be entitled an act, supplementary to, and amendatory of an act, entitled an act, to alleviate the condition of debtors, passed the 27th November, 1812, with sundry amendments—and he withdrew.

The Senate took up the message, and the amendments were severally read and agreed to, except the one in the words following, which was disagreed to, to wit—and provided also, that nothing herein contained shall be so construed as to prevent the oldest judgment from claiming the money as heretofore practised.

The following message from His Excellency the Governor was received.

by his Seretary Mr. Porter.

Mr. President ;

I am directed by His Excellency Governor Early to return to the Senate, three acts which originated in this branch of the Legislature which he has assented to and signed, the titles of which are as follow, to wit :

An act to make permanent the scite of the public buildings of Telfair county ;

An act to amend an act, regulating roads in this state, so far as respects the county of Glynn ;

And an act to amend an act, entitled an act, to amend an act, to make permanent the scite of the public buildings in the town of Hartford, in the county of Pulaski.

I am also directed by him to notify the Senate that he has approved of and signed a resolution which originated in this branch of the Legislature, on the subject of a suit now now pending in the Superior court of Richmond county, against Messrs. Adams and Duyckinck and their securities, for a breach of contract entered into with the state for printing and binding 2000 copies of the Laws and Resolutions of the Legislature of this state from the year 1800 to 1810 inclusive—and directing that the said suit may be dismissed at their cost, provided the said laws and resolutions be delivered to the Executive in Milledgeville, on or before the first day of October next.

Ordered, that the committee do carry the said several acts to the office of the Secretary of State, and see the Great Seal affixed to them respectively.

Mr. Newsom from the committee on enrolment reported as duly enrolled and signed by the Speaker of the House of Representatives, the following acts ;

An act to authorise the mustering of a portion of the militia of Camden county, at the town of St. Mary's, in said county ;

An act for the relief of John Boog.

An act giving further time to John Hardee to pay up monies due by him to this state ;

An act to sell and dispose of the State-house lots and public square in the town of Louisville ;

An act to alter and amend an act, entitled an act, to regulate the town of Monticello in the county of Randolph ;

An act to amend an act, entitled an act, for the limitation of actions, and for avoiding suits at law ;

An act to authorise John Jeter to establish a ferry across the Oconee river at the landing of said ferry on the premises of said John Jeter ;

An act vesting in Richard M. Diamond certain property therein mentioned ;

And an act to authorise the fortunate drawers in the late land lotteries of this state to take out their grants, until the tenth day of November, one thousand eight hundred and fourteen, and after that date, to authorise any citizen of this state to take out grants in said lotteries, which said acts were presented to, and severally signed by the President of Senate.

Ordered that the said acts be carried by the committee to his Excellency the Governor for his revision.

Adjourned till to-morrow morning  
9 o'clock.

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WEDNESDAY, 1st Dec. 1813.

On motion of Mr. Cook,

Resolved, That the minutes of yesterday be reconsidered, so far as relates to the amendments of the House of Representatives to the bill to alleviate the condition of debtors, and that the said bill do lie on the table.

On motion of Mr. Jones,

Resolved, That William Habersham, esq be, and he is hereby appointed a Notary Public for the county of Chatham.

On motion of Mr. Fulgham,

Resolved That Elijah Wallace be, and he is hereby appointed a Notary Public for the county of Pulaski.

The Senate took up the report of the committee on the State of the Republic, on the memorial of the Mayor and Aldermen of the City of Savannah as amended by the House of Representatives, and the same being read was concurred in.

The following bills were taken up and read the 2d time, to wit:

A bill to be entitled an act, supplementary to an act, entitled an act, securing to Joseph Hill, his heirs and assigns, the exclusive right of erecting three toll bridges across Savannah river and its branches, and raising causeways across Hutchinson's island and other islands in said river.

Ordered for a third reading.

A bill to be entitled an act, to legalize and make valid the acts and proceedings of Sheriffs in this state in

certain cases therein expressed.

Ordered for a committee of the whole.

A bill to be entitled an act, authorising the Judges of the Superior courts to grant writs of ne exeat in certain cases therein mentioned.

Ordered for a committee of the whole.

A bill to be entitled an act, to extend the powers of the Commissioners of Milledgeville.

Ordered for a committee of the whole.

And a bill to be entitled an act, to amend and repeal the 2d and 3d sections of an act, to authorise the Clerks of the Superior and Clerks of the Inferior courts, Clerks of the courts of Ordinary, Sheriffs, Coroners and Surveyors to hold their offices during the intervention between the election and commissioning of their successors, and to regulate the transfer of papers and monies.

Ordered for a committee of the whole.

And a bill to be entitled an act, to establish an uniform mode to calculate interest in this state, and to prevent the collecting compound interest.

Ordered for a committee of the whole.

The Senate resolved itself into a committee of the whole on the bill to be entitled an act, to authorise William Scott, sen. of Camden county, to establish a toll on the road leading from Bull-town Swamp to Fort Barrington, on the Altamaha, through McIntosh county—Mr. Fort in the chair—Mr. President resumed the chair, and Mr. Fort reported that they had

the bill with amendments.

The Senate took up the report, which was read and agreed to.

Whereupon the bill was read the third time and passed.

The Senate again resolved itself into a committee of the whole on the bill to be entitled an act, to appropriate monies for the political year 1814—

Mr. Cook in the chair—Mr. President resumed the chair, and Mr. Cook reported that they had gone through the bill with amendments.

Ordered that the report do lie on the table.

The Senate took up the report of the committee of the whole on the bill to be entitled an act, to alter and amend an act, entitled an act, to raise a tax for the support of government for the political year 1813, which being read, was amended and agreed to.

Whereupon the said bill was read the third time and passed as amended, under the title of a bill to be entitled an act, to raise a tax for the support of government for the political year 1814, and to revive, alter and amend an act, entitled an act to raise a tax for the support of government for the political year 1813.

The Senate took up the report of the committee of the whole on the bill to authorise his Excellency the Governor to settle with the United States the amount of direct tax due by Georgia, and to point out the method of reimbursing the state the said sum in part.

And the bill being read as amended in committee of the whole,

On motion of Mr. Fort,

That the fourth section in said bill be stricken out, and on the question to agree, it was determined in the negative, and the yeas and nays being required, are yeas 14—nays 18.

Those in the affirmative, are Messrs Blackmon, Blair, Fort, Foster, Fulham, Fulwood, Hatcher, Irwin, Newsum, Rawles, Swain, Talbot, Watts and Wood.

Those in the negative, are Messrs. Alston, Baker, Battel, Cook, Daniel, Fannin, Hardie, Jones, Lane, Little, Lumpkin, Montgomery, Nesbit, Pope, Powell, Scruggs, Watkins and Winn, The report being gone through, was agreed to.

Whereupon the said bill was read the third time and passed as amended.

The Senate agreeably to the reconsideration of the minutes of this morning, took up the amendments made to the bill to be entitled an act, supplementary to, and amendatory of an act, entitled an act, to alleviate the condition of debtors, passed the 27th November, and the same being again read,

Resolved, That the Senate do disagree to the following amendment—“ Provided, that nothing in this, or the before recited act shall be so construed as to prevent the recovery of any debt against teachers of Academies and private schools by suit or offset.”

A message from the House of Representatives by Mr. Clayton their Clerk.

Mr. President;

The House of Representatives have passed the bill from Senate to be



entitled an act, requiring the Judge of the Ocmulgee district to hold an extra term of the Superior court in the county of Baldwin, with an amendment, substituting the whole bill by a new one ;

They have passed the bill from Senate to be entitled an act, to legalize a certain description of grants which have heretofore, or may hereafter be issued by the proper authority of this state, with an amendment ;

And the bill from Senate to be entitled an act, to alter the second section of the 2d article of the Constitution of this state, with an amendment

And they have passed a bill to be entitled an act, to amend an act, passed the 7th December, eighteen hundred and twelve, for opening and keeping open the Oconee river—and he withdrew.

The Senate took up the message and agreed to the amendment made to the bill to hold an extra court in the county of Baldwin ; in the amendment made to the bill legalizing certain grants ;

And the bill to be entitled an act, to amend an act, passed the 7th December, 1812, for opening and keeping open the Oconee river, was read the first time.

Resolved, That the Senate do disagree to the amendment made to the bill, to be entitled an act, to amend the 2d section of the 2d article of the constitution of this state.

Mr. Montgomery presented a petition from a number of inhabitants of Jackson, which was read and referred to the committee on petitions.

On motion of Mr. Batte,

The Senate took up the resolution from the House of Representatives in favor of Thos. B. Stubbs and Wm. M'Gee which was again read and agreed to.

Mr. Cook presented a communication from the President and Board of Trustees of the university of this state, which was ordered to lie on the table.

On motion of Mr. Montgomery

Resolved, That the state commissioners of the town of Milledgeville be and they are hereby authorised and required to credit the bonds of Eleazar Early, given to said commissioners for two twenty acre lots in said town common, for 130 dollars, the credit to take date from the 7th day of July 1810, in consequence of a road being laid out and opened through said lots, agreeably to a report of the persons appointed by said commissioners to view the damages incurred by opening said road.

Which was ordered to lie on the table.

Adjourned 'till 10 o'clock to-morrow morning.

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THURSDAY, 2d Dec. 1813.

On motion of Mr. Daniel,

Resolved, That the minutes yesterday be reconsidered so far as relates to the resolution from the House of Representatives, in favor of Thomas B. Stubbs and Wm. M'Gee and that the said resolution do lie on the table.

The bill to be entitled an act, to amend an act, passed the 7th of I

ember, 1812, for opening and keeping open the Oconee river, was taken up and read the 2d time.

Ordered for a third reading.

The bill to be entitled an act, supplementary to an act, entitled an act, securing to Joseph Hill his heirs and assigns the exclusive right of erecting three toll bridges across Savannah river and its branches, and raising causeways across Hutchinson's Island and other Island's in said river, was taken up, read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to extend the powers of the commissioners of Milledgeville, Mr. Lane in the chair, Mr. President resumed the chair, and Mr. Lane reported that they had gone through the bill with an amendment; Strike out "four years" and insert "three years."

The Senate took up the amendment which being read was agreed to.

Whereupon the said bill was read the 3d time and passed as amended.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to amend and repeal the second and third sections of an act, to authorise the Clerks of the Superior and Inferior courts, Clerks of the courts of Ordinary, Sheriffs, Coroners and Surveyors to hold their offices during the intervention between the election and commissioning of their successors, and to regulate the transfer of papers and monies, Mr. Watkins in the chair; Mr. President resumed the chair; and Mr. Watkins reported that they had gone through

the bill without any amendment.

Ordered that the report do lie on the table.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to authorise the judges of the Superior courts, to grant writs of ne exeat in certain cases therein mentioned, Mr. Battel in the chair; Mr. President resumed the chair, and Mr. Battel reported that they had gone through the bill without any amendment.

Whereupon the bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to legalize and make valid the acts and proceedings of Sheriffs in this state, in certain cases therein expressed, Mr. Fulwood in the chair; Mr. President resumed the chair, and Mr. Fulwood reported that they had gone through the bill with an amendment.

The Senate took up the report, and the amendment being read was agreed to

Whereupon the said bill was read the 3d time and passed as amended.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to establish an uniform mode of calculating interest in this state, and to prevent the collection of compound interest—Mr. Winn in the chair, Mr. President resumed the chair, and Mr. Winn reported that they had gone through the bill with amendments.

The Senate took up the report and some of the amendments were agreed to, others disagreed to.

Whereupon the said bill was read the third time, and on the question shall this bill now pass, it was determined in the negative, and the yeas and nays being required are yeas 12, nays 19.

Those in the affirmative are, Messrs Battel, Blair, Daniel, Dooly, Fort, Hatcher, Jones, Lumpkin, Nesbit, Piles, Talbot and Winn.

Those in the negative, are Messrs. Alston, Baker, Blackmon, Cook, Fanin, Foster, Fulgham, Fulwood, Hardie, Irwin, Montgomery, Newsom, Pope, Powell, Scruggs, Swain, Watts, Watkins and Wood.

A message from the House of Representatives by Mr. Clayton their Clerk ;

Mr. President,

The House of Representatives have passed the bill from Senate to confirm the titles of purchasers of lots in Waynesborough ;

They have agreed to all the amendments proposed by Senate, to the bill to authorise His Excellency the Governor to settle with the United States the amount of Direct Tax due by this state ;

And have agreed to all the amendments of Senate, to the bill to amend an act, to raise a Tax for the support of Government for the political year 1813 ;

And do recede from their amendments made to the alleviating act ;

They have passed a resolution appointing Alexander Kean a Vendue Master for the town of St. Mary's and county of Camden ; and

A resolution on the subject of extending the time to the expedition a-

gainst the Creek nation of Indians under the command of General David Adams ;

They have concurred in the resolution appointing William Habersham, Esq. a Notary Public for the county of Chatham ;

And the resolution appointing Elijah Wallis a Notary Public for the county of Pulaski ;

And have passed the following bills :

A bill to be entitled an act, to define the line dividing the counties of Columbia and Warren ;

And a bill to be entitled an act, to organize the detachment of men which may hereafter be required by the President of the United States, from the Executive of this state, for the service of the Union, and for other purposes therein expressed ;

And they do still adhere to their amendment, made to the bill to amend the 2d section of the 2d article of the constitution, and have appointed a committee of conference.

The Senate took up the message and concurred in the resolutions appointing Alexander Kean Vendue Master for St Mary's ;

And extending the time of the expedition against the Creek Indians under the command of Gen. David Adams ;

And the said several bills were read the first time.

And resolved, that the bill to be entitled an act, to alter and amend the 2d section of the 2d article of the Constitution do lie on the table

And on the question to agree, it was determined in the negative b

yeas and nays.

Those in the affirmative are, Messrs. Alston, Baker, Cook, Daniel, Fort, Hardie, Jones, Little, Lumpkin, Piles, Powell, Rawles, Scruggs and Winn—14.

Those in the negative, are Messrs. Battel, Blackmon, Blair, Dooly, Fanin, Foster, Fulgham, Fulwood, Hatcher, Irwin, Lane, Montgomery, Nesbit, Newsom, Pope, Swain, Talbot, Watts, Watkins and Wood—20.

Whereupon, resolved that the Senate do adhere to their disagreement to said amendments, and that a committee of conference be appointed on the part of the Senate, to join the committee from the House of Representatives on the subject matter in dispute.

And ordered that Messrs. Dooly, Montgomery, Wood, Daniel and Cook be that committee.

Mr. Fort from the committee on Finance reported, to wit :

The committee on Finance to whom was referred the petition of Frederick S. Fell, praying compensation for printing sundry documents for the foreclosure of mortgages on certain property in the county of Wayne, for the benefit of this state, report that they have taken the same under consideration, and are of opinion, that the petitioner is justly entitled to the amount stated in his account ; therefore, beg leave to recommend the following resolution ;

Resolved, that His Excellency the Governor be requested to pay to Frederick S. Fell, 226 dollars and 66 cts. out of the contingent fund, in full compensation for printing and pub-

lishing twenty four Rules Nisi, for the foreclosure of mortgages in the county of Wayne, for the benefit of the state.

Ordered to lie on the table.

The Senate took up the report of the committee of the whole on the bill to be entitled an act, to appropriate money for the political year 1814, which was agreed to.

Whereupon the bill was read the third time and passed.

On motion of Mr. Battel,

Whereas the inhabitants of Baldwin county are destitute of all those advantages which the other counties in the purchase derive from the sale of lots at or near their court-houses, and in consequence of which, the inhabitants of said Baldwin county are, and have been (notwithstanding the hardness of the times) subject to a county tax for several years, for the purpose of building a court house ;

Resolved therefore, that the Justices of the Inferior court for the county of Baldwin, or a majority of them, be and they are hereby authorised and required to sell — acre lots in the north east part of the town of Milledgeville, which are not already sold, the proceeds of which sales to be applied to the payment due for the building of the Court-house in the town of Milledgeville ;

Ordered to lie on the table for the balance of the session.

The Senate again called up the resolution requiring all military officers to instruct and train their Regiments, Battalions and Companies according to the principles laid down by Duane.

And the said resolution being again read was disagreed to.

Mr. Newsom from the committee of enrolment reported as duly enrolled, and signed by the Speaker of the House of Representatives, the following acts—viz :

An act for the relief of John D'An tignac, Esquire, Tax Collector for the county of Richmond for 1812.

An act to amend an act, for the regulation and government of the town and commons of Brunswick ; and

An act to authorize constables to open and attend elections in certain cases, which said acts were presented to and severally signed by the president of Senate.

Ordered that the committee of enrolment do carry said acts to His Excellency the Governor for his revision.

On motion of Mr. Foster,

Resolved, That Stephen Hodge and Warner L. Kennon, Esquires be, and they are hereby appointed Trustees of the Columbia county academy in place of Abraham Marshall and Nathan Crawford resigned.

On motion of Mr. Hatcher,

Resolved, That Nicholas Tompson and Thomas Ard, Esquires be, and they are hereby appointed commissioners of the academy of Wilkinson county, in the place of Stephen Gafford and Jeremiah Loftin removed.

Adjourned till to-morrow 10 o'clock.

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FRIDAY, 3d Dec. 1813.

Mr. Battel moved to reconsider the minutes of yesterday on the resolution empowering the Commissioners of

Milledgeville to sell lots for the benefit of the Court-house of Baldwin county, and on the question to reconsider, it was determined in the negative.

Mr. Cook moved for the reconsideration of the minutes of yesterday on the resolution to adopt Duane's Military Tactics, and on the question to reconsider, it was determined in the affirmative.

The Senate took up the report of the committee on Finance on the petition of Frederick S. Well, which was read and ordered to lie on the table.

On motion of Mr. Fulgham,

Resolved, That James Roach, esq. be, and he is hereby appointed a commissioner of, and for the Academy of the county of Pulaski, in place of Edmund Hogan, esq. removed.

On motion of Mr. Newsom,

Resolved, That Pierson Pettit be, and he is hereby appointed a Notary Public for the county of Warren.

On motion of Mr. Nesbit,

Resolved, That a committee be appointed to examine and digest the accounts of the members of Senate for the present session.

Ordered that Messrs. Nesbit, Lane and Jones be that committee.

The bill to be entitled an act, to amend an act, passed the 7th of Dec. 1812, for opening and keeping open the Oconee river was taken up for a third reading.

On motion,

Resolved, That the said bill do lie on the table for the balance of the session.

The Senate took up the report of the committee of the whole on the bill

be entitled an act, to amend and read the 2d and 3d sections of an act, to authorise the Clerks of the Superior and Inferior courts, Clerks of the courts of Ordinary, Sheriffs, Coroners and Surveyors to hold their offices during the intervention between the election and commissioning of their successors, and to regulate the transfer of papers and monies, which being read, was agreed to.

Whereupon the said act was read the third time and passed.

The bill to be entitled an act, to organize the detachment of men which may be hereafter required by the President of the United States, from the Executive of this state, for the service of the Union, and for other purposes therein expressed, was taken up and read the 2d time.

Whereupon the Senate resolved itself into a committee of the whole on said bill—Mr. Foster in the chair—Mr. President resumed the chair, and Mr. Foster reported that they had made progress, and requested leave to sit again in June next.

Ordered that the report do lie on the table.

The bill to be entitled an act, to define the line dividing the counties of Columbia and Warren was taken up and read the second time.

Ordered for a third reading.

A message from the House of Representatives, by Mr. Clayton their Clerk ;

Mr. President,

The House of Representatives have agreed to the amendments to the report of the joint committee appointed to enquire into the frauds committed

on the non-intercourse laws of the United States ;

They have concurred in a joint committee to examine the Swords in the arsenal, &c. ;

In the resolution appointing Nicholas Thompson and Thomas Ard, esquires, commissioners of the Academy of Wilkinson county ;

And in the resolution appointing Stephen Hodge and Warner L. Kennon, esqs. trustees of the Columbia county Academy.

And they have passed a resolution to request his Excellency the Governor to have the following bills of the present session published one time in each of the public Gazettes of this state, to wit ;

An act to authorise the Governor to settle with the United States, the amount of direct tax due by the state of Georgia, &c. ;

Also an act supplementary to, and amendatory of the alleviating law ;

And the act amendatory of the tax laws of this state—and he withdrew.

The Senate took up the message and concurred in the last mentioned resolution.

The Senate resolved itself into a committee of the whole on the memorial of Barna M'Kinne the only qualified executor under the will of the late Thomas Galphin, esq. of Steele creek, South-Carolina, and also legal representative of the late George Galphin, esq. of Silver Bluff, South-Carolina—Mr. Nesbit in the chair—Mr. President resumed the chair, and Mr. Nesbit reported, that the report of the select committee be disagreed to, and the following report be agreed to

in lieu thereof, to wit :

The committee of the whole on the memorial of Barna McKennie the legal representative of George Galphin of Silver Bluff, dec'd ;

#### REPORT ;

That they have carefully examined the same, and find the following facts from the memorial ; that in the year 1773 a cession of land was made by the Creek and Cherokee Indians, of that portion of territory called the Ceded land, afterwards by the constitution of 1777 called the county of Wilkes, for the purpose as stated in the memorial, and as appears by an extract of a letter from the Earl of Dartmouth dated 12th Dec 1772, one of the documents accompanying the memorial to which your committee beg leave to refer ; your committee also beg leave to refer to the certificate of Alexander Wyly the Clerk of the council of the then province of Georgia, dated 6th June 1775, by which it appears there was then due the said George Galphin as one of the traders intended to be provided for, by the treaty of 1775, the sum of nine thousand seven hundred and ninety one pounds, fifteen shillings and five pence, this fact connected with the circumstance of a great part of the Ceded lands having been sold before that date as is admitted by the memorialist, dec'd, which could be well established by other evidence connected with the instructions to the commissioners for making such treaty which is to be found in the aforesaid letter from the Earl of Dartmouth a part of which your committee beg leave to recite ; that all monies arising from the sale, be vested in the

hands of a Receiver to be appointed by giving proper and sufficient security for the faithful execution of his office, and that all surplus after the debt to the traders is discharged, do remain in the Receivers hands, &c. established to the satisfaction of this committee that the claim of the late George Galphin, Esq. was a good and valid one against the crown of Great Britain, but cannot under any of the aforesaid circumstances be held to be a claim upon the justice or humanity of the state of Georgia.

Your committee perceives that the memorialist lays some stress upon an act passed in the year 1779 which among other things enacts.

Whereas certain persons citizens of this and the state of South Carolina, and friends to the independence of the same, claim that the lands in the county of Wilkes were originally given up and ceded to the Government of Great Britain, by the Creek and Cherokee Indians in satisfaction and discharge of certain debts due by the said Indians to certain persons commonly called Indian traders.

Be it therefore enacted, That any person having or pretending to have any claim, do lay their claim and accounts before this or some future House of assembly to be examined, and whatever claims shall be found just and proper, and due to the friends of America, shall be paid by Treasury certificates, for the amount payable in two, three and four years, carrying six per cent interest.

Your committee differ in the construction put upon the act of '79 by the memorialist ; it must in the opini-

on of your committee appear that the act of '79 can only apply to such claims as were unexamined at the time of its passage. This does not appear to be the case of the memorialist, for it is evident from his shewing, to wit, the certificate of Alexander Wiley, that the claim of the memorialist had been examined and liquidated, while the now state of Georgia was a Colony of the Crown of Great Britain, and this with the instructions aforesaid which says the debts to the traders were first to be settled, clearly prove the claim to have been a valid one against Great Britain. Your committee are warranted and confirmed in this opinion, from the conduct of the claimant, for it appears from the letter of John Graham, dated the 28th December 1790, in answer to one from the hon. John Milledge—that Mr. Milledge and Mr. Graham both considered the claim to have been against the Crown of G. Britain, and that it is probable that the same might have been allowed, had the claim been put in, in due time and form. Your committee are strengthened in this construction from the lapse of time between the declaration of our independence and the first application to the state for the claim which was in 1793, from the shewing of the memorialist.

This opinion of the claim is further warranted as your committee conceives from the conduct of the late Thomas Galphin, Esquire, the execution of George Galphin of Silver Bluff, who admits that from the advice of some leading members, recommending an application to the crown of Great Britain, after he had had a fa-

vorable report upon the claim did withdraw the same; this shews that the leading members of that day who must have been conversant with the transaction, viewed the claim as a good and valid one against the crown of Great Britain, and such a claim as the state of Georgia was not in justice bound to pay, notwithstanding their feelings must have been alive to the interest of the claimant, for his inestimable and invaluable services rendered in our struggles for independence—services which ought never to be forgotten, and which must be held in grateful remembrance by all those who live to enjoy that independence, which he with others achieved in that glorious revolutionary war which severed us from what was then called the mother country, and from that yoke of tyranny under which we had served until petition, and even supplication for redress had been exhausted, and until longer forbearance from resistance would have been a crime. Your committee are from a whole view of the case, compelled to report that the claim of the memorialist is not well founded against the state of Georgia, and recommend that the same ought not to be provided for by the state, notwithstanding they do sincerely regret the loss which the late George Galphin must have sustained in not having been allowed his claim against the Crown of Great Britain.

The Senate took the report, and Mr. Jones moved that the Senate disagree to the report of the committee of the whole, and that the following be agreed to in lieu thereof, to wit:



The committee of the whole having  
 laid under their consideration the me-  
 morial of Barna M'Kennie,

### REPORT,

That the memorialist Barna M'Kennie having preferred his petition, praying the indulgence of the Senate in postponing the further consideration of the report of the select committee, and of his memorial until the next session of the General Assembly, as he wishes then to adduce further proofs in substantiating his claim.

The committee beg leave to report that it is reasonable and just, more especially at this late period to postpone the further consideration of the said memorial agreeably to the prayer of the petition, which being read was disagreed to, and the yeas and nays being required—are yeas 6—nays 25.

Those in the affirmative are Messrs. Irwin, Jones, Lane, Talbot, Watkins and Winn.

Those in the negative are Messrs. Alston, Baker, Battel, Blair, Cook, Daniel, Dooly, Fannin, Fort, Foster, Fulgham, Hardie, Hatcher, Little, Lumpkin, Montgomery, Nesbit, Newsom, Files, Pope, Rawles, Scruggs, Swain, Watts and Wood.

Whereupon the report of the committee of the whole was again read and agreed to by Senate.

On motion of Mr. Jones,

Resolved, That Stephen Pelot and Edmund Roberts be, and they are hereby appointed Notaries Public for the county of Chatham.

On motion of Mr. Daniel,

Resolved, That George Hudson be, and he is hereby appointed a Notary

Public for the county of Madison.

A message from the House of Representatives, by Mr. Clayton their Clerk ;

Mr. President,

The House of Representatives have passed the following bills from Senate.

A bill to secure to John Wilson of Augusta, certain property devised and bequeathed to him by John Wilson also of Augusta.

A bill to legalize certain acts of Angus M'Donald ;

A bill to relieve the purchasers of lots in the town of Sumpterville ;

A bill for the relief of persons who are now in the service of the United States from this state ;

A bill to repeal an act, compelling Clerks of this state to keep their offices at or within one mile of their respective courthouses, so far as respects the county of Emanuel, &c. ; and,

A bill to extend the powers of the commissioners of the court-house and Jail of the county of Madison.

They have passed the bill to be entitled an act, to amend the militia laws of this state, with amendments ;

The bill to provide the more easy mode for the recovery of rents in the city of Savannah, with amendments ;

The bill to authorise Ezekiel Dubose to erect a ferry across the river Savannah, with amendments ;

And they disagree to the amendment made to the bill to legalize and make valid the acts and proceedings of Sheriffs in this state.

They have passed a resolution appointing a committee on their part to examine the Journals, and to join any committee on the part of Senate to re-

ceive the acts and concurred resolutions from the Executive after the adjournment of the Legislature, and see the Great Seal affixed to them ;

And have passed the resolution to adjourn *sine die* with an amendment, "strike out Friday & insert Saturday."

The Senate took up the message, and agreed to the amendment made to the bill to be entitled an act, to amend the militia laws of this state ;

They agreed to the amendment to the bill to provide the more easy mode for the recovery of rents in the City of Savannah ;

In the amendment to the bill authorising Ezekiel Dubose to erect a ferry across the river Savannah ;

Resolved, that the Senate do adhere to their amendment made to the act, to legalize and make valid the acts and proceedings of Sheriffs in this state ;

They agree to the resolution appointing a committee on their part to examine their Journal, and to join any committee of Senate to receive the laws and resolutions after the adjournment of the Legislature, and see the Great Seal affixed to the same.

Ordered that Messrs. Newsom, Battel and Hatcher be the committee on the part of Senate ;

And concurred in the amendment of the House of Representatives to adjourn *sine die*.

The Senate again took up the resolution for the relief of Eleazar Early, which being read, was ordered to lie on the table.

A message from the House of Representatives by Mr. Clayton their Clerk.

Mr President ;

The House of Representatives have agreed to the report of the committee on Finance, on the petition of Frederick S. Fell ; and on the Comptroller General's report relative to the digest of taxable property and Tax Collectors in default—and he withdrew.

The Senate took up the message, and concurred in the report of the Comptroller General relative to the digest of taxable property and Tax Collectors in default, with an amendment ; add, "and their securities."

And on the question to agree with the House of Representatives on the report of the committee of Finance, on the petition of Frederick S. Fell, it was moved that the report do lie on the table for the balance of the session, and on the question to agree, it was determined in the affirmative, and the yeas and nays being required, are Yeas 20—Nays 10.

Those in the affirmative, are Messrs Baker, Battel, Blair, Cook, Daniel, Fannin, Foster, Fulgham, Fulwood, Hatcher, Irwin, Lane, Little, Montgomery, Nesbit, Newsom, Pope, Swain, Talbot and Wood.

Those in the negative, are Messrs. Alston, Fort, Hardie, Jones, Powell, Rawles, Scruggs, Watts, Watkins and Winn.

The following message from His Excellency the Governor was received by His Secretary Mr Porter.

Mr. President ;

I am directed by his Excellency the Governor to inform the Senate, that he has approved of and signed four resolutions which originated in this branch of the Legislature, the substance of

which is as follows, to wit:

One appointing James M. Wayne, Esq. a Notary Public for the county of Chatham; one appointing Augustus Moore, Esq. a Notary Public for the City of Augusta and county of Richmond; one authorising & requiring his Excellency the Governor to contract with some fit and proper person to make the necessary repair on the arms now in the public arsenal of the state;

One requesting our Senators and Representatives in Congress to use their efforts with the President of the United States and with the Secretary of the Navy to enlarge the naval force between the ports of Savannah and St. Mary's, it being more particularly necessary, since the calamitous Hurricane which has occurred in that quarter, and requesting his Excellency the Governor to transmit said resolution to our Senators and Representatives in Congress

The resolution directing the Sheriff of Baldwin county to sell a certain tract of land situated on the island of St. Simons, in the county of Glynn, &c. he has disapproved of, and for reasons stated in the following communication to the Senate to wit;

Executive Department,  
December 3d, 1813.

To the President, and

Members of the Senate.

A joint resolution which originated in the Senate on the 26th day of Nov. last, directing the sale of certain Confiscated property on the island of St. Simons, which had been purchased by George Baillie, has been laid before the Executive, and received due con-

sideration. This resolution assumes as a fact, that the property in question has reverted to the state, from the insolvency of the purchaser. Whereas it appears from the Journal of this department, that the mortgage executed by him has been placed in the hands of the proper officer for foreclosure, at a period which renders it certain that the foreclosure cannot yet have been effected. It follows of course, that the title is yet in the said George Baillie, and that the state cannot now order a sale of the property. There is another objection to the resolution; it orders three lots in the City of Savannah to be sold without any description of them, by which the lots intended can be ascertained. It also appears to me that the resolution ought not to be approved, because it directs the Sheriff of Baldwin county to make sale of the property—whereas there is an existing law of the state, prohibiting any Sheriff from selling land lying out off the county for which he is Sheriff—For these reasons, I feel compelled to disapprove the resolution, and herewith return it to the house in which it originated.

PETER EARLY.

*IN SENATE*, 26th Nov. 1813.

Resolved by the Senate and House of Representatives of the state of Georgia in General Assembly met That a certain tract of land situated upon the island of St. Simons which was lately confiscated property and sold to George Baillie, and which has now reverted to the state from the insolvency of the said Baillie, together with three lots in the City of Savannah

nah be sold by the sheriff of Baldwin county, at the State-house, on the first Monday in November 1814, first giving 30 days notice in one of the Savannah and Milledgeville papers, for the joint and equal use and benefit of all the academies of this state, which have not received the sum of one thousand pounds as contemplated by law.

Which communication being read, ordered that the same do lie on the table.

Mr. Lane from the committee of enrolment reported as duly enrolled and signed by the Speaker of the House of Representatives, the following acts, viz :

An act to legalize a certain description of grants which have heretofore, or may hereafter be issued by the proper authority in this state ;

An act to quiet and confirm the titles of persons who have purchased lots from, and under the Commissioners of the town or Academy of Waynesborough in the county of Burke, and for other purposes ;

An act to authorise the Judge of the Ocmulgee district to hold an extra session in the county of Baldwin ;

And an act supplementary to, and amendatory of an act, entitled an act, to alleviate the condition of debtors, passed the 27th November 1812, which were presented to, and severally signed by the President of Senate.

Ordered, That the committee of enrolment do carry the said acts to his Excellency the Governor for his revision.

Adjourned till 9 o'clock to morrow morning.

SATURDAY, 4th Dec. 1813.

On motion of Mr. Fort,

The minutes of Senate of yesterday were reconsidered on the report of the committee of Finance on the petition of Frederick S. Fell, which report was taken up and agreed to.

Mr. Montgomery from the joint committee of Conference to whom was referred the subject matter of disagreement between the two branches of the General Assembly, on the subject of a bill to be entitled an act, to alter the 2d section of the 2d article of the Constitution of this state,

#### REPORT,

That they have performed the duty assigned them, and after the most attentive deliberation, are of opinion that the alteration of the Constitution as contemplated, recognizes a principle which your committee deems to be just and expedient ; yet they are constrained to say (when expressing their sentiments) that they conceive it to be impolitic to adopt said bill as agreed to in either branch of the General Assembly, and therefore recommend said subject to a subsequent Legislature as worthy of their attention.

The bill to be entitled an act, to run the county line between the counties of Columbia and Warren, was taken up, read the 3d time and passed.

The Senate took up the report of the committee of the whole on the bill to be entitled an act, to organize the detachment of men which may be hereafter required by the President of the United States from the Executive of this state for the service of the Union, and for other purposes therein

expressed, which being read was amended and agreed to ; whereupon the said bill was read the 3d time, and on the question shall this bill now pass, it was determined in the affirmative.

A message from the House of Representatives, by Mr. Clayton their Clerk ;

Mr. President,

The House of Representatives have appointed a committee of Conference, on the bill to be entitled an act, to legalize and make valid the acts and proceedings of Sheriff and Clerks in this state in certain cases expressed.

The Senate took up the message and appointed a committee of Conference on their part, consisting of Messrs. Foster, Cook and Watkins.

A message from the House of Representatives, by Mr. Clayton their Clerk.

Mr. President,

The House of Representatives have passed the bill to be entitled an act, to authorize the Commissioners of the academy and town of Washington in Wilkes county to open and keep open the streets of said town, and to extend the corporation of the same, with amendments ; and

They have passed the bill to be entitled an act, to alter the time of holding the Superior courts for the county of Wilkes, and the allowing of appeals as pointed out by this act, and he withdrew.

The Senate took up the message, and the amendments made by the House of Representatives to said bills.

Mr. Foster from the committee of Conference, on the subject matter, in dispute between the two branches, relative to the act to legalize and make valid the acts and proceedings of Sheriffs and Clerks in certain cases therein expressed ; recommend that the House of Representatives recede and concur with the Senate, which being read was agreed to.

Ordered that Messrs. Daniel, Irwin and Fort be a committee of Conference on the bill to be entitled an act, to amend the act to organize the detachments of men which may hereafter be required by the Union.

Mr. Newsom from the committee on enrolment reported as duly enrolled and signed by the Speaker of the House of Representatives, viz :

An act to extend the powers of the Commissioners of the town of Milledgeville ;

An act to authorize the Judges of the Superior courts to grant writs of ne exeat in certain cases therein mentioned.

An act supplementary to an act, entitled an act, securing to Joseph Hill his heirs and assigns the exclusive right of establishing three toll bridges across Savannah river and its branches, and raising causeways across Hutchinson's Island, and other Islands in the said river ;

An act to raise a Tax for the support of Government for the political year 1814, and to revive alter and amend an act, entitled an act, to raise a Tax for the support of Government for the political year, 1813 ;

An act to authorize His Excellency the Governor to settle with the U

United States, the amount of the Direct Tax due by the state of Georgia, and to point out the method of reimbursing the state the said sum in part ;

An act to amend and repeal the second and third sections of an act, entitled an act, to authorize the Clerks of the Superior and Inferior courts, Clerks of the courts of Ordinary Sheriffs, Coroners and Surveyors, to hold their offices during the intervention between the election and commissioning of their successors, and to regulate the transfer of papers and monies passed the 13th of Dec. 1809 ;

An act to appropriate monies for the political year 1814 ;

An act to vest in and secure to John Wilson of the city of Augusta, his heirs, &c certain property devised and bequeathed to him, by John Wilson, lately also of the city of Augusta, deceased ;

An act for the relief of persons who are now in the service of the United States from this state

An act to repeal an act, compelling the Clerks of this state to keep their offices with one mile of their respective Court houses, so far as respects the county of Emanuel, and to make permanent the time dividing the counties of Bullock and Emanuel, and to repeal the 3d section, and to alter and amend other sections of an act, entitled an act, to lay out a new county out of the counties of Montgomery and Bullock, passed the 10th day of Dec. 1812, and for other purposes.

An act to legalize and make valid certain acts of Angus M'Donald, as Deputy Clerk of the Superior court of the county of Wayne.

An act to point out the mode for the collection of rents, and the recovery of possessions of property within the city of Savannah, and the precincts thereof ;

An act to define the line dividing the counties of Columbia and Warren ;

An act to relieve the purchasers of lots in the town of Sumpterville ;

An act to extend the powers of the Commissioners of the Court-house and Jail of the county of Madison ;

An act to authorize E. Dubose to erect a ferry across the Savannah river at his plantation in the county of Lincoln.

An act to legalize and make valid the acts and proceedings of Sheriffs and Clerks in this state, in certain cases expressed ;

An act to authorize William Scott, sen. of Camden county to establish a toll on the road leading from Bull town swamp to Fort Barrington on the Alatomaha through M'Intosh county ;

An act to authorise the Justices of the Inferior courts for the counties of Tainall and Emanuel to draw grand and petit Jurors ;

An act to authorise the Commissioners of the academy and town of Washington in Wilkes county, to open and keep open the streets of the said town, and to extend the corporation of the same ;

An act to alter the time of holding the Superior courts for the county of Wilkes, and allowing the entering of appeals as pointed out by this act ; and

An act to amend the militia laws of this state, which were presented to and severally signed by the President of Senate.

Ordered the committee carry the said acts to His Excellency the Governor, for his revision.

On motion of Mr Jones,

Resolved, that a committee be appointed to join a committee to be appointed on the part of the House of Representatives to wait on his Excellency the Governor, and notify him of the joint resolution passed, that the General Assembly will on this day adjourn sine die; and to enquire whether his Excellency has any communications to make previously to the said adjournment.

Mr. Daniel from the committee of conference on the bill to amend the act, to organize the detachments of men which may thereafter be required by the President in the service of the Union, reported they recommend that the Senate do recede from their amendment providing that the officers shall be elected out of the line of officers in commission at the time of election, which was agreed to.

Mr. Newsom from the committee of enrolment reported as duly enroled & signed by the Speaker of the House of Representatives, the act to organize the detachment of men which may hereafter be required by the President of the United States, from the Executive of this state, for the service of the Union, and for other purposes therein expressed, which was presented for his signature, and Mr. Foster moved that the President of Senate do not now sign the said act, and on the the question, it was determined in the negative, and on the yeas and nays being required, are yeas 10—nays 13.

Those in the affirmative are Messrs.

Blair, Dooly, Foster, Irwin, Lane, Nesbit, Newsom, Swain, Winn and Wood

Those in the negative are Messrs. Baker, Battel, Cook, Fannin, Hatcher, Jones, Little, Lumpkin, Pope, Rawles and Talbot

Whereupon the President signed the said act, and ordered that the committee do carry the said bill to his Excellency the Governor for his signature.

Mr. Jones from the committee to wait upon His Excellency the Governor and notify him that the General Assembly have resolved this day to adjourn sine die, and to enquire whether his Excellency has any further communication to make previously to their adjournment, REPORT,

That they have waited upon His Excellency the Governor, who answered that he had no Communication which would render it necessary to postpone the adjournment.

Mr Lane from the committee appointed, to examine the Journals of the senate report, that they have examined, and find correctly engrossed the Journals to Thursday 2d December 1813.

On motion—Resolved that the Secretary inform the House of Representatives that the Senate is now ready to adjourn sine die.

On motion,

Resolved that the thanks of Senate is due the President for his faithful and impartial discharge of the duties of the Chair during the present session—Unanimously agreed to.

WILL. ROBERTSON,

Secretary

**JOURNAL**  
**OF THE**  
**SENATE**

**OF THE**  
**State of Georgia,**

**AN ANNUAL SESSION OF THE GENERAL ASSEMBLY, BEGUN AND HELD  
AT MILLEDGEVILLE, THE SEAT OF GOVERNMENT,  
IN OCTOBER AND NOVEMBER**

**1814.**

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**MILLEDGEVILLE:  
S. & F. GRANTLAND—STATE PRINTERS.**





# JOURNAL

OF THE

# SENATE

OF THE

# STATE OF GEORGIA.

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MONDAY, 17th OCTOBER, 1814.

**AT** an annual session of the General Assembly of the State of Georgia, begun and held at the State House, in the town of Milledgeville, on Monday the seventeenth day of October, 1814, convened by Proclamation of his Excellency the Governor—the following members elect from the several counties in this state, attended, and having nominated the Hon. John Foster of Columbia county to the chair, produced their respective credentials, and having taken the oaths prescribed by the Constitution of this State, and to support that of the United States, administered to them by the Honorable Edmund B. Jenkins, Esq. a Justice of the Inferior Court for the county of Baldwin—took their seats, to wit:

From the county of Columbia—The Honorable John Foster. —

From the county of Baldwin—The Hon. Frederick Freeman.

From the county of Jasper—The Honorable Robert Greer.

From the county of Morgan—The Hon. Isham S. Fannin. —

From the county of Putnam—The Hon. William D. Lane.

From the county of Wilkinson—The Hon. John Hatcher.

From the county of Laurens—The Hon. John Fulwood.

From the county of Telfair—The Honorable Gibson Clarke. —

From the county of Pulaski—The Hon. George G. Gales.

From the county of Clark—The Hon. Zadock Cook.

From the county of Jackson—The Honorable Hugh Montgomery.

From the county of Franklin—The Hon. James H. Little.

From the county of Elbert—The Hon. David Hudson.

From the county of Lincoln—The Hon. John M. Dooly.

From the county of Oglethorpe—The Hon. George Hudspeth.

From the county of Greene—The Hon. James Nesbit.

From the county of Hancock—The Hon. William Rabun.

From the county of Washington—The Hon. Jared Irwin.

From the county of Montgomery—The Hon. Robert Flournoy.

From the county of Tatnall—The Hon. Martin Hardin.

From the county of Bulloch—The Hon. Shepherd Williams.

From the county of Effingham—The Hon. Jesse Scruggs.

From the county of Emanuel—The Hon. Stephen Swain.

From the county of Wayne—The Honorable John Brown.

From the county of Camden—The Hon. William Scott.

From the county of Glynn—The Honorable Samuel Piles.

From the county of Burke—The Honorable William Byne.

From the county of Warren—The Hon. Jeoday Newson.

From the county of Bryan—The Hon. Andrew Bird.

The Senate proceeded to the election of their President, and on counting out the ballots, it appeared that the Honorable William Rabun was elected.

From the county of Madison, attended the Honorable Allen Daniel, and from the county of Jones, the Honorable William Butler, who were severally sworn by the President, and took their seats.

The Senate proceeded to elect their Secretary, and on counting out the ballots, it appeared that Will. Robertson was duly elected.

Also, to the choice of Messenger and Door Keeper, and on counting out the votes, it appeared that Henry Williams was elected Messenger, and Alexander Green Door Keeper.

The Senate adjourned 'till 10 o'clock to-morrow morning.

## TUESDAY, 18th October, 1814.

The Honorable Matthew M<sup>c</sup>Allister a member elect from the county of Chatham, attended, produced his credentials, and the oath to support the Constitution of this State and of the United States being administered to him by the President, took his seat.

On motion of Mr. Blair,

*Resolved*, That the Secretary inform the House of Representatives that the Senate are organised—have made choice of the Hon. William Rabun their President, and William Robertson their Secretary, and are ready to proceed to business.

Mr. Irwin presented a petition from a number of the inhabitants of Laurens county, which was read and referred to a special committee, consisting of Messrs. Irwin, Fulwood, Flournoy and Hawthorn.

Mr. Hudspeth laid on the table the following resolution:

*Resolved*, That a committee be appointed to join such as may be appointed on the part of the House of Representatives to compose a committee on Finance.

A message from the House of Representatives by Mr. Clayton their Clerk.

*Mr. President*....I am directed by the House of Representatives to inform the Senate that they are now organized and ready to proceed to business, having chosen the Hon. Benjamin Whitaker their Speaker and A. S. Clayton their Clerk—and he withdrew.

On motion of Mr. Dooly,

*Resolved*, That a committee be appointed on the part of Senate to join such committee as may be appointed on the part of the House of Representatives to wait on

His Excellency the Governor and inform him that the General Assembly is now convened and ready to receive his communication;

*Ordered*, That Messrs. Dooly, Scruggs and Freeman be that committee.

On motion of Mr. Dooly,

*Resolved*, That a committee be appointed on the part of Senate to join such committee as may be appointed on the part of the House of Representatives to compose a committee on the State of the Republic;

*Ordered*, That Messrs. Dooly, M<sup>c</sup>Allister, Montgomery, Scott, Cook, Flournoy and Fannin be that committee.

Mr. Hardin laid on the table the following resolution;

*Resolved*, That a committee be appointed on the part of Senate to join such as may be appointed on the part of the House of Representatives to compose a committee on Military affairs.

The Senate took up and agreed to the resolution appointing a committee on Finance, and appointed on their part Messrs. Hudspeth, Foster, Nesbitt, Scruggs, Hardin, Freeman and Clark.

A message from the House of Representatives by Mr. Clayton their Clerk;

*Mr. President*....The House of Representatives have concurred in the resolution appointing a joint committee to wait on His Excellency the Governor to inform him the General Assembly is now convened—and have appointed on their part Messrs. Wellborn, Henley, Jones, Branham and Rutherford—and he withdrew.

On motion of Mr. Foster,

*Resolved*, That the Rules of the Senate of last year be adopted for the government of the Senate the present session.

On motion of Mr. Lane,

*Resolved*, That a committee be appointed on the part of Senate to join such as may be appointed on the part of the House of Representatives to contract for Printing;

*Ordered*, That Messrs. Lane, Montgomery and Freeman be that committee.

Mr. Dooly from the joint committee to wait on his Excellency the Governor, reported that they had performed that duty, and had received for answer that he would on this day at eleven o'clock, lay his communication before them.

A message from his Excellency the Governor by Mr. Porter his Secretary.

*Mr. President*,

I am directed by his Excellency the Governor to lay before this branch of the Legislature, his Communication, with accompanying documents—and he withdrew.

The Senate took up the report and the Communication being read, &c

EXECUTIVE DEPARTMENT, Georgia }  
 MILLEDGEVILLE, 18th October, 1814. }

*Fellow-Citizens of the Senate,  
 and House of Representatives.*

It has been deemed advisable in the existing posture of public affairs, to convene the Legislature at a period earlier than that prescribed by law. The reasons for this measure have arisen from the new and unprecedented features given by our enemy to the war in which we are engaged, and the obligations thereby imposed on us to make corresponding exertions for meeting and repelling his efforts.

The war has not only assumed an aspect abhorrent to the principles of civilized nations, but its object has to us become essentially changed. The contest is now for independence on our part, and subjugation on that of our adversary.

The Legislature will feel the necessity of making without delay, radical changes in our militia system. Recent events have more than ever demonstrated that our militia must be better organized and better disciplined. Our system has been calculated for a peace establishment. It is high time, that one should be substituted, fitted for a state of war.

The law passed at the last session of the Legislature for organizing detachments which might be required for the public service, has been found impracticable of execution in some of its provisions, and tedious and difficult in most of its arrangements. It prescribes that the officers shall be elected by the men, after their arrival at a place of rendezvous, thus leaving no means by which troops are to be marched there. It prescribes that the officers thus elected shall be brevetted by the commanding officer of the detachment, when in detachments requiring a commander under the rank of a general officer, that commander must himself be elected at the same time.

When in the course of the present year, events rendered it necessary to organize and hold in readiness for service one third of the militia of this state, these and other difficulties presented themselves in their full force. To obviate them as far as possible, I ordered the elections to be held in the respective counties, and have issued special commissions: thus preserving the leading principle of the law, the election of officers by those who were to serve under them; but departing from the law in its forms, which were found impracticable of execution.

To the principle however of election for detachments, there are serious and weighty objections. It is tedious—it tends to produce insubordination, and is injurious to officers already in commission. And I earnestly recommend to the Legislature its abolition.

While the Legislature shall be engaged on this subject, the provision highly deserving the consideration and organization of our local militia

varies materially from that prescribed for the army of the United States. And in order to have militia received into the service of the latter, they must be organized according to their plan. There ought to be an authority given by law to the Executive for this purpose, whenever detachments are required to be placed in a state of preparation. And there ought especially to be an efficient method prescribed for enforcing obedience, in attending at any appointed rendezvous.

The condition of the volunteer corps also calls imperiously for revision. This species of force is always valuable when it can be brought into service; but under existing circumstances, the public is deprived almost entirely of its aid. Very few volunteer companies contain the number of privates necessary for their reception into the service of the United States; and whilst they appear desirous to take their share of duty, they will not consent to be consolidated. A power to consolidate, where they are not full, and a mode for determining the selection of officers amongst them is highly necessary.

The situation of the cavalry in particular merits the consideration of the Legislature. The mode in which the war has been conducted, and appears likely to be continued, affords but little use for this species of troops. In truth, they as well as the volunteer infantry corps, although composed of the best materials which the country affords, are for the most part exempted from the public service.

The War Department on the fourth of July last issued a requisition to most of the states in the Union, for detaching, organizing and holding in readiness a quota of the militia. The proportion required from Georgia, was three thousand five hundred. This requisition was the more easily complied with here, in consequence of the steps which had been previously taken, to have the militia arranged into classes, and to cause one third to be in constant readiness. The organization of the first class made them ready to fill up the quota: And one complete brigade has by the directions of the Major General commanding the United States troops in the sixth military district, been ordered to the neighborhood of Savannah.—Besides these, it is entirely probable, that a force of considerable strength will be speedily marched to the South West. The movements of the enemy in that quarter have for some time indicated a plan which it is seriously interesting to the general government, and to us in particular, should be frustrated. I have accordingly been required by the War Department to hold in readiness two thousand five hundred men for the purpose of co-operating with reinforcements ordered from other sections of the Union. This number will be supplied from the balance of the first class, together with some volunteer companies. They are in a state of readiness.

The exposed and defenceless situation of our principal sea-port town, became a source of anxiety, so soon as the mode of warfare intended to be pursued by the enemy, was made known. The fund appropriated at

the last session for military disbursements was nearly exhausted; and without money I could not order troops to the field on state account. It was important too that suitable fortifications should be erected on the land side, to repel the approach of the enemy. The corporation of Savannah pursuing the example set them at other places, and stimulated by the recommendation of the Major General having charge of this military district, as well as by that of the state Executive, adopted the idea of fortifying that city by voluntary contributions in money and labor on the part of the inhabitants; confiding in the belief that the general government would ultimately reimburse the expenditure. But the citizens of that place, not being very numerous, and the place itself requiring extensive works, an appeal was made to me for aid. The appeal was felt to be reasonable. The state government appeared bound to defray the expenditure for the present; especially when it was considered that large and liberal disbursements had heretofore been made for the defence of our interior frontier; and that the duty of protection extended alike to all. But here again my means were limited by existing appropriations. Under these circumstances, I have applied for and obtained from the Planters' Bank at Savannah, a loan without interest, for an amount calculated to meet present emergencies. This amount together with a small advance from the Treasury, have been deposited with the corporation of Savannah to be expended in works of defence. For the reimbursement of the loan, I have pledged the faith of the Executive. This pledge I rely with confidence on the Legislature to enable me to make good: And I recommend to them to make such further appropriations as may defray the expense of completing the necessary fortifications; thereby taking the burthen of present advances from the shoulders of the citizens, and trusting to the justice of the general government for reimbursement in better times.

I also submit to the consideration of the Legislature the propriety of ordering into the field a party of cavalry in aid of the force now in the service of the United States. Such a corps may be highly useful on the maritime frontier, and should be placed under the immediate command of the lieutenant colonel commanding the cavalry in that quarter.

The provision made by law at the last session for paying into the Treasury of the United States the amount of direct tax due from Georgia, was carried into effect without difficulty. The payment was effected by discounting with the United States an equal amount of monies due from them to us, under the articles of session and agreement, in relation to the Mississippi territory, entered into on the 21th day of April, 1802.

The act of Congress imposing a direct tax being temporary, it is not now known whether any provision need be made for meeting the payment of another year.—But inasmuch as the power of the enemy to annoy, has by the peace in Europe, been increased in proportion to the desolating spirit with which he is disposed to prose-

cute the war, there can be no doubt that an increase of the means of resistance has become also necessary.—We ought therefore to calculate on meeting a direct tax greater than that of the present year.

The report of the Treasurer at the close of the political year will inform you of the state of our Finances. As there appears evidently to be a necessity for an increase of expenditure, it will at once occur to you that there must be a proportionate increase of receipts. I therefore recommend to the Legislature to augment the ordinary taxes in a degree commensurate with the public wants. A free people, estimating at their proper value, the rights which belong to them, will with cheerfulness contribute whatever may be necessary for their defence and protection.

The mode now in use in this state, of auditing and liquidating accounts against the public, appears to require revision. The settlements are all made at the Executive office, thereby burthening that department with matters which in the nature of things do not properly appertain there. These affairs ought to be adjusted by the Comptroller of the state.

A treaty has been negotiated with the friendly Creek Indians by which their title is extinguished to a considerable extent of territory within the limits of this state. The acquisition is however of little value, either for the purposes of cultivation, or of strengthening our interior frontier.—I am not yet informed whether the treaty has been sanctioned by the proper authority.

A list of appointments made by the Executive during the recess of the Legislature is herewith submitted.

Some subjects of minor importance to those now brought before the view of the Legislature, will form the contents of a separate communication.

### *Fellow-Citizens!*

THE æra in which it is our lot to live, is pregnant with prominent events beyond that of any past time. The great hand is withered, which almost at will, put down and raised up empires in Europe, and himself has become a pensioner. The powers who prostrated him appear all desirous for repose to the world, except *our inveterate foe*. He is implacable towards us because, we were growing in commerce, and have acquired so much naval character. These are at war with the policy and pride of our adversary. Long ago, we committed an unpardonable sin by asserting and achieving our national independence. The blaze of glory which our gallant sons of the ocean have shed around the American name, is a source of mortification too deadly for forgiveness. Our armies too have recently inflicted some lessons of deep humiliation to a foe, acting on the belief, that with the means now at his command our subjugation was within his reach. All the usages of war are dispensed with in relation to us, and we are already treated as if *our people* in the scales of nations was nothing.

But the enemy mistakes his means, and mistakes us. The spirit of party is rapidly vanishing, and union and resistance are becoming the watch-words of the day.

There is one effect likely to be produced by this struggle, which humanity must deplore. The bitter animosities engendered by the war of the revolution, were fast wearing away. Commercial intercourse—reciprocal advantage—the reflection that England had some palliation in the belief that we were then in a state of rebellion against parental authority—these circumstances were eradicating the feelings that had arisen from the atrocities practised by her armies during our former struggle. But the case is now reversed. The present war was commenced between nations confessedly independent—connected by language, ties of relationship, manners, religion,—all that could create tenderness and respect for each other. Yet, under all these circumstances, her commanders are pursuing towards us an unrelenting system of conflagration, devastation and plunder. They make war on the female and the babe—they pillage the temples of the most high—they consume to ashes defenceless houses and villages. Such a contest so conducted will create animosities which ages cannot efface. The American child will learn in his cradle to abhor the British name; and the lesson will be handed down from generation to generation.

PETER EARLY.

*Ordered*, That document No. 1, be referred to the committee on the State of the Republic—That documents No. 2 and 3, be referred to the committee on Finance—and that document No. 4, do lie on the table.

The Senate adjourned 'till to-morrow morning 10 o'clock.

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WEDNESDAY, 19th October, 1814.

On motion of Mr. Newsom,

*Resolved*, That a committee on Privileges and Elections be appointed, and that the returns from each county be laid before them;

*Ordered*, That Messrs. Newsom Little and Piles be that committee.

Mr. Irwin from the committee reported on the petition of a number of the inhabitants of Laurens, Wilkinson and Twiggs counties, in behalf of Ashley Wood confined in jail—which was read and ordered to lie on the table the balance of the session.

A message from the House of Representatives by Mr. Clayton their Clerk;

Mr. President,

The House of Representatives have passed a resolution appointing a committee on their part to join such as may be appointed on the part of Senate, to take into consideration that part of the Governor's Communication relating to the Militia and Military Affairs of

this state—they have concurred in the following resolutions from Senate, and have appointed committees on their part, to wit:

A resolution appointing a joint committee to contract for Printing.

A resolution appointing a joint committee on Finance.

And a resolution appointing a joint committee on the State of the Republic—and he withdrew.

The Senate took up the message and concurred in the resolution from the House of Representatives, appointing a joint committee to take into consideration that part of the Governor's Communication which relates to Military Affairs, and added a committee on their part, consisting of Messrs. Daniel, Byne, Scott, Hardin, Flournoy, Montgomery, Irwin and Freeman.

Mr. Lane laid on the table resolutions requesting his Excellency the Governor to lay before Senate the names of all the officers and men killed and wounded in the battles fought by Gen. Floyd with the Creek nation of Indians.

A message from his Excellency the Governor by Mr. Cary his Secretary was received, inclosing the resignation of Brigadier General Stewart, and the Quarter Master General of this state.

*Ordered*, That said message do lie on the table.

On motion of Mr. Hudspeth,

*Resolved*, That both branches of the General Assembly will convene in the Representative Chamber, on Monday the 31st inst. in order to elect a Brigadier General, in the place of Brigadier General John Stewart, resigned—and a Quarter Master General of this state, in the place of Lieutenant Colonel George W. Evans, also resigned.

On motion of Mr. Foster,

*Resolved*, That the Comptroller General be requested to lay before the Senate a statement of the Taxes due the state from the several counties, previous to the year 1814, together with the names of the Collectors, the amounts due, and of what years.

Adjourned till 10 o'clock to-morrow morning.

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THURSDAY, 20th October, 1814.

On motion of Mr. Dooly—The Senate reconsidered the Journal of yesterday, so far as respects the resolution from the House of Representatives appointing a joint committee to take into consideration that part of the Governor's Communication which relates to the Militia and Military Affairs of this state—and ordered that the same do lie on the table.

The Hon. Thomas Spalding, a member elect from the county of McIntosh, attended, produced his credentials, and the oath to support the Constitution of this state, and that of the United States, being administered to him by the President—took his seat.

On motion of Mr. Dooly,

*Resolved*, That a committee be appointed on the part of Senate, to join such as may be appointed on the part

of the House of Representatives, to prepare and report a bill to revive and continue in force, an act supplementary to, and amendatory of an act to alleviate the condition of debtors—passed the 6th December, 1813.

*Ordered*, That Messrs. Dooley, Spalding, Greer, Hudson and Cook be that committee.

Mr. Flournoy presented a petition from several of the inhabitants of Tatnall county, which was read and referred to a committee consisting of Messrs. Flournoy and Hardin.

Mr. Flournoy also presented a petition from James Tapley, which was read and referred to a special committee, consisting of Messrs. Flournoy and Swain.

Mr. Montgomery gives notice that he will on to-morrow move for leave to introduce a bill to enlarge the powers of the Courts of Ordinary in this state, and for other purposes.

Mr. Montgomery presented a petition from a number of the inhabitants of Jackson county, which was read and referred to a special committee, consisting of Messrs. Montgomery, Daniel and Little.

On motion of Mr. Freeman,

*Resolved*, That Edmund B. Jenkins, Esq. be and he is hereby appointed a Commissioner of the Penitentiary Edifice, in the town of Milledgeville, vice Hubert Reynolds, Esq. deceased.

On motion of Mr. Piles,

*Resolved*, That a committee be appointed on Petitions;

*Ordered*, That Messrs. Piles, Butler and Blair be that committee.

Mr. Daniel gives notice that he will on to-morrow move for the appointment of a committee to prepare and report a bill to establish an uniform mode of calculating interest in this state.

On motion of Mr. Lane,

*Resolved*, That a committee be appointed on the part of Senate to join such as may be appointed on the part of the House of Representatives, to form a joint committee on enrolled bills;

*Ordered*, That Messrs. Lane, Freeman and Clark be that committee.

On motion of Mr. Lane,

*Resolved*, That a committee be appointed to see that the Journals of Senate are correctly recorded during the present session of the Legislature.

*Ordered*, That Messrs. Lane, Brown and Williams be that committee.

Mr. Hardin presented a memorial from Robert Jackson, Esq. which was read and referred to the committee on Privileges and Elections.

On motion of Mr. M'Allister,

*Resolved*, That the Executive appointment of Dr. Joshua E. White, as Commissioner of the Chatham county Academy, be and the same is hereby confirmed.

The Senate took up that part of the Journal of yesterday, on the resolution from the House of Representatives appointing a joint committee on that part of the

Governor's Communication which relates to the Militia and Military Affairs of this state—which was, on motion of Mr. Montgomery, amended to read as follows and agreed to, to wit:

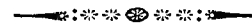
*Resolved*, That that part of the Governor's Communication which relates to the Militia system of this state, be referred to a committee to be denominated a joint committee to revise, amend and consolidate the Militia Laws of this state, and to adapt the same so far as is expedient to the Militia Laws of the U. States, and that they have leave to report by bill or otherwise.

On motion of Mr. Dooley,

*Ordered*, That Mr. Spalding be added to the committee on the State of the Republic.

Mr. Montgomery gives notice that he will on to-morrow move for the appointment of a committee to prepare and report a bill to repeal the third section of an act passed 8th December, 1806, to extend the operation of the Laws of this state, over the persons resident in Wafford's settlement, and for organizing the same.

Adjourned 'till 10 o'clock to-morrow morning.



FRIDAY, 21st October, 1814.

The Hon. Freeman Walker, a member elect from the county of Richmond, attended, produced his credentials, and the oath to support the Constitution of this State and of the United States being administered to him by the President, took his seat.

On motion of Mr. Irwin,

*Ordered*, That Mr. Spalding be added to the committee on Military Affairs.

On motion of Mr. Foster,

*Ordered*, That Mr. Blair be added to the committee on the Petitions presented yesterday from Montgomery and Tatnall.

Mr. Swain from the committee reported a bill for the relief of James Tapley, which was received and read the first time.

Mr. M'Allister gives notice that he will on to-morrow move for leave to introduce a bill to authorize the President and Directors of the Planters' Bank, of the state of Georgia, to remove their Bank with the appurtenances from Savannah, and to transact their business wherever the President and Directors, or a majority of the members present, shall think the same prudent from causes of alarm, dangerous to the safety of the institution, or of contagion affecting the city, or the vicinity thereof.

Mr. Butler presented a Petition from Francis Pickett, which was read and ordered to lie on the table.

Mr. Montgomery agreeably to notice, introduced a bill, to enlarge the powers of the Courts of Ordinary of this state—which was received and read the first time.

On motion—Mr. Hawthorn had leave of absence 'till Monday morning.



On motion of Mr. Dooly,

*Resolved*, That a committee be appointed on the part of Senate to join such as may be appointed on the part of the House of Representatives, to revise, amend and consolidate the Militia Laws of this state.

*Ordered*, That Messrs. Daniel, Byne, Scott, Hardin, Walker, Flournoy, Irwin and Freeman be that committee.

Mr. Walker presented a Petition from Elizabeth O'Reily—which was read and referred to a special committee consisting of Messrs. Walker, Foster and Irwin.

On motion of Mr. Foster,

*Resolved*, That the Commissioners of the Penitentiary Edifice be, and they are hereby directed to lay before this General Assembly a statement of the receipts and expenditures up to the present period together with a statement of the progress of said Edifice.

A message from the House of Representatives by Mr. Clayton their Clerk.

*Mr. President*,

The House of Representatives have passed a resolution appointing Vendue Masters for the city of Augusta—and a resolution appointing a Trustee of the Richmond Academy.

They have disagreed to the amendment made by Senate to the resolution on Military Affairs.

They have concurred in the following resolutions from Senate, to wit:

One appointing a joint committee on the Alleviating Law, and have added a committee on their part.

One appointing Monday the 31st inst. for the election of a Brigadier General and Quarter-Master General of this state.

One appointing a Commissioner of the Penitentiary Edifice.

One appointing a Commissioner of the Chatham county Academy, and

One appointing a joint committee on Enrolled Bills, and have appointed a committee on their part—and he withdrew.

The Senate took up the message and concurred in the several resolutions from the House of Representatives, and ordered that the resolution relative to Military Affairs do lie on the table.

Mr. Lane called up the following resolution, which was read and agreed to, to wit:

*Resolved*, That his Excellency the Governor be requested to cause to be laid before this House a correct list of all those officers (with their rank annexed) and men lately under the command of Brigadier General John Floyd, in the United States service, from this state, against the Creek Indians, that were killed in either of the battles in which that army was engaged—of those wounded and died of the same—of the surviving ~~wounded~~ ~~of those that died of disease during that~~ ~~and of those that died of disease~~

(as far as can be ascertained) subsequently to that service. *And be it further Resolved*, That whenever any heroic achievement is performed under circumstances of extraordinary disadvantage & of uncommon privation by freemen in defence of the dearest interests of humanity, of liberty and of their country—that the performers are entitled to and merit the notice, admiration and gratitude of a generous and reflecting people. That as a testimonial of the high sense which this Legislature has of the patriotism, bravery and fortitude manifested by that army, that the thanks thereof is hereby respectfully presented to Brigadier General John Floyd, Adjutant General Col. Daniel Newman, to the officers generally of the Line, Staff and Medical Departments, and of the citizen soldiers composing the same.

That as a *memento* of their regret for the dead, their sympathy with the suffering survivors that were wounded, and with the relatives of the deceased, that they will wear crape on the left arm from Saturday the 29th inst during the remainder of this session of the Legislature.

On motion of Mr. McAllister,

Whereas this state as well as several of her sister states have during the present war taken the earliest opportunity to enrol among the records of fame, the illustrious deeds of their gallant Naval Commanders, and of their officers and seamen, and have in a highly honorable manner, through their Legislative Councils, presented their thanks to Captain Hull, Commodore Decatur, Commodore Bainbridge and to Captain Perry; and this state in a particular manner has tendered her thanks to Captain Perry for his glorious victory over a superior British force on Lake Erie:

And whereas since those memorable exploits have been achieved a series of deeds equally splendid have been performed by others of our gallant heroes both by land and by sea:

And whereas it is both fit and proper that the names and exploits of our gallant sons be recorded and transmitted to a grateful posterity, in order that future generations may emulate their exalted virtue and fame—the only reward a noble mind can ask for his exertions in defence of his country's rights and honor—

*Be it therefore resolved unanimously, by the Senate and House of Representatives, in General Assembly met, on behalf of the people of Georgia*, That the thanks of the citizens and of the Legislature of this state are due to Captain Warrington and to his officers and seamen for their valor and skill in capturing the Epervier—To Captain Porter and to his officers and seamen for their unparalleled perseverance in defence of their country's rights, and for their noble conflict in defence of their ship under every disadvantage against a greatly superior force—To Commodore McDonough, and to the officers and seamen on board the several vessels under his command, for the capture and destruction of a superior British naval force on Lake Champlain.

And whereas the armies of our country have latterly been equally successful and splendid in their victories—



*Be it further unanimously resolved,* That the thanks of the citizens and of the Legislature of this state are due to that galaxy of Heroes, Gen. Brown, Gen. Scott, Gen. Gaines, and Gen. Macomb, for their brilliant victories to the North—To the intrepid General Jackson for his to the South West—and to Commodore Barney for his gallant conduct at the battle of Bladensburg.

*Be it further resolved,* That His Excellency the Governor be requested to transmit these resolutions to Captain Warrington, Captain Porter, Commodore McDonough, Gen. Brown, Gen. Scott, Gen. Gaines, General Jackson, Gen. Macomb and Commodore Barney.

Adjourned 'till 10 o'clock to-morrow morning.

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SATURDAY, 22nd October, 1814.

On motion—Mr. Hatcher had leave of absence 'till Monday morning.

A message from the House of Representatives by Mr. Clayton their Clerk ;

*Mr. President,*

The House of Representatives have passed the following resolutions :

One appointing a Vendue Master for the town of Darien, in the county of McIntosh.

One appointing a Vendue Master for the town of Eatonton and county of Putnam.

One appointing a Notary Public for the county of Camden.

One appointing a Vendue Master for the town of Greensborough in the county of Greene.

One appointing a Notary Public for the county of Greene, and

One appointing a committee on their part to join such as may be appointed on the part of Senate to prepare and report a bill to revise, amend and consolidate the judiciary system of this state—and he withdrew.

*Ordered,* That the said message do lie on the table.

The Senate took up the message from the House of Representatives laid on the table yesterday, so far as respects the resolution appointing a joint committee on Military Affairs—and on motion,

*Resolved,* That they still adhere to their amendment to said resolution, and that a committee of conference on their part be appointed consisting of Messrs. Irwin, Lane and Spalding, to join such as may be appointed on the part of the House of Representatives to confer on the subject matter in dispute.

The Senate took up the message from the House of Representatives laid on the table this morning and concurred in the several resolutions therein contained, by adding the name of Scott Cray to the resolution appointing a Notary Public for the town of Darien, except the resolution appointing a joint committee to revise, amend and consolidate the several Judiciary Laws of

this state, which was ordered to lie on the table the balance of the session.

Mr. Flournoy from the committee reported a bill to add a part of Tatnall county to the county of Montgomery—which was received and read the first time.

The bill to enlarge the powers of the Courts of Ordinary of this state and for other purposes—and the bill for the relief of James Tapley, were severally read the second time and ordered for a committee of the whole.

The rule being dispensed with, Mr. Walker reported a bill to amend an act to regulate attachments in this state—which was received and read the first time.

Mr. Daniel agreeably to notice moved for the appointment of a committee to prepare and report a bill to establish an uniform mode of calculating Interest in this state.

*Ordered,* That Messrs. Daniel, Little and Butler be that committee.

Mr. Bird gives notice that he will on Monday next move for leave to introduce a bill to move the site of the public buildings in the county of Bryan, and for other purposes therein mentioned.

The Senate took up the Petition of Francis Pickett—which was referred to a special committee consisting of Messrs. Butler, Gaines and Byne.

Mr. Daniel gives notice that he will on Monday next move for leave to introduce a bill to amend the several Road Laws now in force in this state.

On motion of Mr. Foster,

*Resolved,* That the Justices of the Inferior Court of the counties of Columbia and Warren, be and they are hereby authorized to pay out of the county funds unto Reuben Y. Langston and Pierson Pettit each the sum of two dollars and seventy-five cents for every mile that they necessarily run in running the dividing line between the aforesaid counties, agreeably to the certified plat and representation of the said line, now deposited with the clerk of the Inferior Court of Columbia county—That Reuben Y. Langston be paid by Columbia county, and Pierson Pettit by Warren county, which shall be in full of the claims of the said Langston and Pettit for running and marking the said line, including the hire of chain carriers, choppers, flag staff men, and every other charge for running said line.

Mr. Daniel presented a petition from several of the inhabitants of Elbert county—which being read was referred to Messrs. Daniel and Hudson, a special committee to join such committee as may be appointed on the part of the House of Representatives to take the same into consideration.

On motion of Mr. Freeman,

While the Legislature of Georgia view with the liveliest sensations the glorious achievements of the American army generally, they cannot but felicitate themselves particularly in the recollection of the heroic exploits of the brave and gallant Lieut. Col. Daniel Appling, whom the state is proud to acknowledge her native son; and as a tribute of applause from the state which

gave him birth—a tribute due to the lustre of his actions—

*Be it unanimously resolved by the Senate and House of Representatives in General Assembly met,* That His Excellency the Governor be and he is hereby requested to have purchased and presented to him an elegant sword, suitable for an officer of his grade.

On motion of Mr. Walker,

*Resolved,* That His Excellency the Governor be requested to lay before this branch of the General Assembly, such information as he may possess relative to the situation of the arms belonging to this state, and particularly the number of stand fit for use, and whether in his opinion that number will be sufficient for the present aspect of our affairs; and if not sufficient, that he be requested to state what increased number will in his opinion be commensurate with the wants of the state.

Adjourned 'till Monday morning 10 o'clock,

### MONDAY, 21th October, 1814.

The Honorable Solomon Wood, a member elect from the county of Jefferson, attended, produced his credentials, and the oath to support the Constitution of this state and that of the United States being administered to him—took his seat.

Mr. Walker from the committee reported a bill to divorce and separate Elizabeth O'Reily and John O'Reily, and to secure certain property to the said Elizabeth, her heirs and assigns, which was received and read the first time.

Mr. Lane presented sundry affidavits relative to the contested election of Wilkinson county, which was referred to the committee on Privileges and Elections.

Mr. Freeman presented the Treasurer's Abstract from the commencement of the political year 1814, to the 30th day of September last, which was referred to the committee on Finance.

Mr. Dooley from the committee reported a bill to continue in force an act supplementary to and amendatory of an act to alleviate the condition of debtors—which was received and read the first time.

Mr. Hudspeth presented a Petition from Thomas S. Bailey and Anna Bailey—which was read and referred to a special committee consisting of Messrs. Hudspeth, Nesbit and Cook.

The Senate resolved itself into a committee of the whole on the bill to enlarge the powers of the Courts of Ordinary of this state, and for other purposes—Mr. Foster in the chair—Mr. President resumed the chair, and Mr. Foster reported that they had gone through the same with amendments—The Senate took up the report, which was read and ordered to be engrossed for a third reading.

The bill to be entitled an act for the relief of James Tapley, was read the second time and ordered for a committee of the whole.

The bill to amend an act to regulate attachments in this state, was read the second time and ordered for a third reading.

The bill to add a part of the county of Tatnall to the county of Montgomery, was read the second time and ordered for a committee of the whole.

The Senate resolved itself into a committee of the whole on the said bill—Mr. Cook in the Chair—Mr. President resumed the chair, and Mr. Cook reported that they had gone through the same with an amendment—The Senate took up the report which was read and agreed to.

Mr. Montgomery from the committee reported a bill to lay out a new county, out of the county of Jackson, which was received and read the first time.

Mr. Bird agreeably to notice introduced a bill to remove the site of the public buildings, in the county of Bryan, and for other purposes—which was received and read the first time.

Mr. Butler from the committee on the Petition of Francis Pickett, reported as follows, to wit:

The select committee to whom was referred the petition of Francis Pickett, having had the same, with its accompanying documents, under consideration, beg leave to report that they find the same unreasonable in its nature, and ought not to be granted—which was read and agreed to.

Mr. Daniel presented a petition from a number of the inhabitants of Oglethorpe county—which was read and referred to a special committee consisting of Messrs. Daniel and Hudspeth, to join such as may be appointed on the part of the House of Representatives to take the same into consideration.

Mr. Blair gives notice that he will on to-morrow move for the appointment of a committee to prepare and report a bill to compensate the Justices of the Inferior Courts of the several counties in this state for their services.

A message from the House of Representatives by Mr. Clayton their Clerk.

*Mr. President,*

The House of Representatives have concurred in the resolution appointing a joint committee of conference on the resolution relative to Military Affairs, and they have added a committee on their part, and

They have concurred in the resolution relative to the Penitentiary Edifice—and he withdrew.

*Ordered,* That the said message do lie on the table.

Adjourned 'till 10 o'clock to-morrow morning.

### TUESDAY, 25th October, 1814.

Mr. Irwin from the joint committee of conference on the subject matter of disagreement between the two branches relative to the resolution appointing a joint committee on Military Affairs, reports—

That the House of Representatives recede and concur with the Senate in their amendment to said resolution; and further, that said committee on Military Affairs have power to suggest any plan that they may deem advisable for additional security for the state—and the same being read was agreed to.

Mr. Lane from the committee on Printing, reported as follows, which was read and agreed to, to wit:

The joint committee appointed to contract for the Printing of the Laws, Journals and other Public Documents, ordered by the present session of the Legislature to be printed—do recommend that the Senate do adopt the following resolution, to wit:

*Resolved*, That Messrs. S. & F. Grantland have the Public Printing of this state, at the same price and upon the same terms, &c. &c. as for the preceding political year.

Mr. Walker presented a petition from Henry Shultz and John McKennie—which was read and referred to a special committee consisting of Messrs. Walker, Dooly and Wood.

Mr. Freeman presented a memorial from Kean and Jones, on the subject of Printing—which was read and ordered to lie on the table.

Mr. Freeman also presented a petition for Abraham Borland—which was read and referred to a special committee consisting of Messrs. Freeman, Irwin and Lane.

Mr. Spalding laid on the table the following resolution:

*Be it resolved by the Senate and House of Representatives in General Assembly met*, That a certain tract of land situated on the Island of St. Simons, and which was lately confiscated property, and sold to George Baillie, and which has now reverted to the state from the insolvency of the said Baillie, be sold by the Commissioners of the said Academy of Glynn and McIntosh, or a majority of the same, for certificates, they giving twenty days notice of the said sale, in one of the public Gazettes. And in the event of the lands selling for more than enough to pay the county of Glynn, the sum of one thousand pounds—and the county of McIntosh, nine hundred and forty-five pounds eleven shillings, then the said balance, if any there be, be paid over to the Treasury of the state.

A message from the House of Representatives by Mr. Clayton their Clerk.

*Mr. President*,

The House of Representatives have passed the following resolutions, to wit:

One appointing a Lumber Measurer for the town of Darien.

One appointing a Notary Public for the county of Chatham—and

One confirming the Executive appointment of the Commissioners of the Louisville Academy.

They have passed a bill to authorize the Board of Di-

rectors of the Planters' Bank, of the state of Georgia, and its officers, to remove from the city of Savannah, and transact business in any part of the state of Georgia.

A bill to amend the several estray laws now in force in this state—and

A bill to alter the names of certain persons therein named—and he withdrew.

The Senate took up the message, and the several resolutions therein contained, were concurred in, and the bills read the first time.

The bill to be entitled an act for adding a part of Tatnall county to Montgomery county and for other purposes, was read the third time—and on the question shall this bill now pass, it was determined in the affirmative, and the Yeas and Nays being required, are Yeas 26, Nays 8.

Those who voted in the affirmative, are Messrs. Blair, Brown, Butler, Clark, Cook, Daniel, Dooly, Fannin, Flournoy, Foster, Fulwood, Gaines, Greet, Hawthorn, Irwin, Lane, Montgomery, McAllister, Newsom, Nesbit, Scott, Spalding, Swain, Walker, Williams and Wood.

Those who voted in the negative, are Messrs. Byné, Bird, Hardin, Hudson, Hudspeth, Little, Piles and Scruggs.

The bill to be entitled an act to amend an act, entitled an act, to regulate attachments in this state—passed 48th day of February, 1799—was read the third time and passed.

The bill to be entitled an act, to continue in force, an act supplementary to, and amendatory of an act to alleviate the condition of debtors, was read the second time, and ordered for a committee of the whole.

The bill to lay off a new county out of the county of Jackson, was read the second time—ordered for a committee of the whole.

The bill to move the site of the public buildings in the county of Bryan, was read the second time—ordered for a committee of the whole.

The bill to divorce Elizabeth O'Reily and John O'Reily, her husband, was read the second time—ordered for commitment.

The Senate resolved itself into a committee of the whole, on the bill for the relief of James Tapley—Mr. Irwin in the chair—Mr. President resumed the chair, and Mr. Irwin reported that they had gone through the said bill without any amendment—The Senate took up the report which was agreed to. Whereupon the said bill was read the third time and passed.

Mr. Lane presented a petition from William Walker, jr—which being read, was referred to the committee on Finance.

Mr. Walker from the committee reported a bill to secure to John McKinnie and Henry Shultz, their heirs and assigns, the exclusive right to a bridge across Savannah River, at or near Augusta—which was received and read the first time.

Mr. Hudspeth from the committee reported a bill to manumit a certain person of color therein named—which was received and read the first time.

The Senate took up the bill to be entitled an act to enlarge the powers of the Courts of Ordinary of this state, and for other purposes—which was read the third time and passed.

Mr. Blair agreeably to notice moved for the appointment of a committee to prepare and report a bill compensating the Justices of the Inferior Courts of the several counties of this state for their services;

*Ordered*, That Messrs. Blair, Williams and Montgomery be that committee:

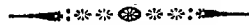
Mr. Swain gives notice that he will on to-morrow move for leave to introduce a bill to make permanent the site of the public buildings in the county of Emanuel, and for other purposes.

The Senate resolved itself into a committee of the whole on the bill to divorce Elizabeth O'Reily and John O'Reily, her husband, and for other purposes—Mr. Daniel in the chair, Mr. President resumed the chair, and Mr. Daniel reported that they had gone thro' the same with an amendment—the Senate took up the report which was read and agreed to with an amendment—

*Ordered*, That the said report do lie on the table.

Mr. Lane presented sundry affidavits relative to the contested election of Wilkinson county, which were read and referred to the committee on privileges and elections.

Adjourned 'till 10 o'clock to-morrow morning.



### WEDNESDAY, 26th October, 1814.

Mr. Swain agreeably to notice introduced a bill to make permanent the site of the public buildings in the county of Emanuel, and for other purposes, which was received and read the first time.

Mr. Spalding called up the resolution laid on the table yesterday relative to the disposal of a tract of land on the Island of St. Simons, and which was lately confiscated property and sold to George Baillie, and the same being read—Mr. Daniel offered the following as a substitute to said resolution—to wit:

*Resolved*, by the Senate and House of Representatives of the State of Georgia, in General Assembly met, that a certain tract of land, situate upon the Island of St. Simons, which was lately confiscated property and sold to George Baillie, and which has now reverted to the State from the insolvency of the said Baillie to be sold by the Commissioners of confiscated property at the State-House in Milledgeville, on the second Monday in November 1815, first giving thirty days notice in one of the Milledgeville and Savannah papers, for the joint and equal use and benefit of all the academies of this State which have not received the sum of one thousand pounds, and on the question to agree to the same it

was determined in the negative, and the Yeas and Nays being required are Yeas 10, Nays 23.

Those who voted in the affirmative are Messrs. Blair, Daniel, Fannin, Fulwood, Greer, Hatcher, Hudson, Hudspeth, Little and Newsom.

Those who voted in the negative are Messrs. Brown, Butler, Byne, Byrd, Clark, Cook, Dooly, Flournoy, Foster, Freeman, Gaines, Hardin, Hawthorn, Irwin, Lane, Montgomery, M'Allister, Nesbit, Piles, Scott, Scruggs, Spalding, Swain, Walker, Williams and Wood.

*Ordered*, That the said original resolution do lie on the table.

Mr. Newsom from the committee on privileges and elections made the following report, which was read and agreed to, to wit:

The committee on privileges and elections report, that they have had under their consideration and examined the several election returns laid before them and find them in due form and signed according to law, except that of Montgomery county, which was signed by two superintendants only; but the committee having sufficient evidence of the legality of the election of the sitting member, therefore beg leave to offer the following resolution—

*Resolved*, That the Hon. member from Montgomery county retain his seat.

The committee so far as respects the memorial of Robert Jackson, contesting the election of the Hon. John Hatcher, the Senator from Wilkinson county,

*Report*, That they have had under their consideration the evidence against and for the sitting member, and from a due and attentive consideration of the same find nothing which will in the smallest degree reflect upon the conduct of the sitting member—

Therefore recommend, that the honorable John Hatcher retain his seat as Senator, duly elected and qualified to serve as such from the county of Wilkinson.

The Senate resolved itself into a committee of the whole on the bill to continue in force an act, supplementary to and amendatory of an act, to alleviate the condition of debtors—passed the 6th day of December, 1813—Mr. Nesbit in the chair; Mr. President resumed the chair—and Mr. Nesbit reported progress and had leave to sit again.

The bill to be entitled an act to divorce Elizabeth O'Reily and John O'Reily her husband, and to secure to the said Elizabeth her heirs and assigns certain property—and to divorce Rachel Jones and Robert Jones her husband, was read the third time, and on the question, shall this bill now pass, the Yeas and Nays being required are Yeas 23 Nays 12.

Those who voted in the affirmative are Messrs. Blair, Brown, Butler, Clark, Fannin, Flournoy, Fulwood, Gaines, Greer, Hawthorn, Irwin, Lane, Montgomery, M'Allister, Newsom, Nesbit, Piles, Scott, Spalding, Swain, Walker, Williams and Wood.

Those who voted in the negative are Messrs. Byne

Byrd, Cook, Daniel, Dooly, Foster, Harden, Hatcher, Hudson, Hudspeth, Little and Scroggs.

There not being a majority of two thirds as required by the constitution in cases of divorce, the bill was lost.

The Senate resolved itself into a committee of the whole on the bill to be entitled an act to lay off a new county out of the county of Jackson which lies West and North West of the line formerly run under the direction of Col. Benjamin Hawkins—Mr. Newsom in the chair—Mr. President resumed the chair, and Mr. Newsom reported that they had gone thro' the same with an amendment.

The Senate took up the report, and ordered that said report do lie on the table the balance of the Session.

The bill to be entitled an act to remove the site of the public buildings in the county of Bryan and for other purposes, was read the third time and passed.

The bill to secure to John M'Kinne and Henry Shultz their heirs and assigns the exclusive right of a bridge at or near the city of Augusta, was read the second time.

Ordered for commitment.

The bill to manumit a certain person of colour named Caesar—was read the second time.

Ordered for commitment in June next.

The bill to authorize the Board of Directors of the Planters' Bank of the State of Georgia to remove their officers, &c. was read the 2d time.

Ordered for a 3d reading.

The bill to alter and amend the several estray laws of this State, was read the 2d time.

Ordered for commitment in June next.

The bill to alter the names of Whimel Rodgers and Roderick Rodgers was read the 2d time.

Ordered for a third reading.

The Senate resolved itself into a committee of the whole on the bill securing to John M'Kinne and Henry Shultz their heirs and assigns the exclusive right of a bridge across the Savannah river at or near the City of Augusta—Mr. Byne in the chair—Mr. President resumed the chair, and Mr. Byne from the committee reported that they had gone thro' the same with amendments—

The Senate took up and agreed to the report.

Ordered that the same do lie on the table.

Mr. Daniel agreeably to notice reported a bill to amend an act more effectually to open and keep in repair the public roads, causeways and bridges in this State—which was received and read the first time.

A message from the House of Representatives by Mr. Clayton their Clerk.

*Mr. President,*

The House of Representatives have added a committee on their part to the petition from Elbert county.

They have added a committee on their part to the petition from Oglethorpe county.

They have concurred in the resolution authorizing the Inferior Courts of Columbia and Warren counties to pay R. Y. Langston and Pierson Pettit for running their dividing county line.

They have agreed to the amendment of Senate to the resolution appointing a Vendue Master for the town of Darien.

They have passed a bill for the relief of Charles Smith of Wilkes county.

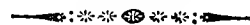
They have concurred in the resolution commemorating the gallant exploits achieved by our heroes by land and by sea with amendments—and he withdrew.

The Senate took up the message and the said bill was read the first time—and the amendments to the said resolution last mentioned agreed to unanimously.

Mr. Freeman from the committee reported on the petition of Abraham Borland, which was read and ordered to lie on the table.

Mr. Byne gives notice that he will on to-morrow move for the appointment of a committee to explain certain parts of an act to quiet and confirm the titles of persons who have purchased lots from and under the Commissioners of the town or academy of Waynesboro'.

Adjourned till 10 o'clock to-morrow morning,



THURSDAY, 27th October, 1814.

On motion of Mr. Walker,

The Journal of yesterday so far as respects the bill to divorce Elizabeth O'Reily and John O'Reily her husband and for other purposes—was re-considered.

The Senate took up the report of the committee on the petition of Abraham Borland, in the words following, to wit:

The committee to whom was referred the petition of Abraham Borland having had the same under their consideration and examined the accompanying documents are of the opinion, that the prayer of the petitioner is reasonable and ought to be granted—they therefore recommend the following resolution—

*Resolved*, That full satisfaction be entered on the judgments obtained in the Superior Court of Baldwin county against Abram Borland on the bonds given by him for fractions Nos. 23 and 24 in the 4th district of Wilkinson county, and that a credit for the sum of two hundred dollars be entered on other judgments had in the same Court against the said Borland for Fractions purchased by him. The said sum being the amount he expended in the prosecution of his suit against Lemuel Wiggins for fraction No. 24—

*Provided nevertheless*, That the satisfaction and credit herein authorized shall not be entered until the said Abram Borland shall have relinquished to his Excellency the Governor in behalf of this State all the right, title or claim which he now has or ever had to the aforesaid fractional surveys of land numbers 23 and 24 in the 4th District Wilkinson county—and on the question to a

agree to the same it was determined in the affirmative, and the Yeas and Nays being required are, Yeas 28, Nays 8.

Those who voted in the affirmative are Messrs. Blair, Brown, Butler, Byrd, Clark, Cook, Dooly, Fannin, Flournoy, Freeman, Fulwood, Gaines, Greer, Hawthorn, Hudson, Irwin, Lane, M'Allister, Newsom, Nesbit, Piles, Scott, Scruggs, Spalding, Swain, Walker, Williams and Wood.

Those who voted in the negative are Messrs. Byne, Daniel, Foster, Hardin, Hatcher, Hudspeth, Little and Montgomery.

Mr. Greer presented a petition from Henry Heald, Jacob Gregg and R. Pearman; and the same being read was referred to a special committee consisting of Messrs. Greer, Cook and Fannin.

Mr. Byne agreeably to notice moved for the appointment of a committee to prepare and report a bill to explain certain parts of an act, to quiet and confirm the titles of persons who have purchased Lots from the Commissioners of Waynesboro' &c.

*Ordered*, That Messrs. Byne, Walker and M'Allister be that committee.

The Senate took up the report of the committee of the whole on the bill to be entitled an act to secure to John M'Kinnie and Henry Shultz, their heirs and assigns, the exclusive right to a bridge across Savannah River, at or near Augusta, and the same being read was agreed to—

Whereupon the said bill was read the third time and passed.

The bill to alter the names of Whitmil Rogers and Roderick Rogers was read the third time and passed.

The bill amendatory of an act more effectually to open and keep in repair the public roads, causeways and bridges in this state—was read the second time.

*Ordered* for commitment.

The bill for the relief of Charles Smith, and

The bill to make permanent the site of the public buildings in the county of Emanuel and for other purposes—were severally read the 2d time, and

*Ordered* for a 3d reading.

The Senate again resolved itself into a committee of the whole on the bill to be entitled an act to continue in force an act, supplementary to, and amendatory of an act to alleviate the condition of debtors—passed the 6th

day of December, 1813—Mr. Irwin in the chair—Mr. President resumed the chair, and Mr. Irwin reported that they had gone through the bill without any amendment.

The Senate took up the report, and the same being read, was ordered to lie on the table.

The bill to be entitled an act to authorize the board of Directors of the Planters Bank of the State of Georgia and its officers, to remove from the City of Savannah and transact business in any part of the State of Georgia, &c. was read the third time and passed.

Mr. Byne from the committee reported a bill to explain certain parts of an act to quiet and confirm the titles of persons who have purchased Lots from and under the Commissioners of the town or Academy of Waynesboro' &c. which was received and read the first time.

Mr. Montgomery gives notice that he will on to-morrow move for the appointment of a committee to prepare and report a bill to add that part of the unlocated Territory of this state, which lies without the limits of the present counties, to one of the counties of this State, and for other purposes.

Mr. Piles gives notice that he will on to-morrow move for leave to introduce a bill, to authorize the Commissioners of the Town of Brunswick and Frederica to collect a tax upon the lots of the same for the purpose of rebuilding a Court-House and Jail in the county of Glynn.

Adjourned 'till 10 o'clock to-morrow morning.

# FRIDAY, 23th October, 1814.

Mr. Freeman presented a petition from a number of the inhabitants of the county of Baldwin and a part of the county of Hancock—which was read and referred to the committee on petitions.

Mr. Walker presented a petition from Reuben Wilkinson which was read and referred to a special committee consisting of Messrs. Walker, Blair and Byne.

Mr. Freeman presented the following communication from the Comptroller General enclosing the following statement of Tax Collectors in default in the several counties of this state, viz:



*A list of Tax Collectors in arrears with the State and the amount due.*

Richard T. Keating	Collector	Bryan	for 1807	\$ 685
Same	do.	do.	1809	152
Same	do.	do.	1810	154
Same	do.	do.	1811	743
				<hr/> 1684
John Boog	do.	Camden	1803	92
Same	do.	do.	1804	978
Joseph Crews	do.	do.	1805	749
Same	do.	do.	1806	783
Same	do.	do.	1807	1221
William Scott, Junior	do.	do.	1808	300
Same	do.	do.	1809	473
Same	do.	do.	1810	1620
Same	do.	do.	1811	1731
				<hr/> 7944
Peter Deveaux	do.	Chatham	1809	9438
Same	do.	do.	1810	11759
Frederick S. Fell	do.	do.	1812	4450
Christian Gugel	do.	do.	1813	12830
				<hr/> 38477
Christian Dasher	do.	Effingham	1813	170
Hezekiah Terrell	do.	Franklin	1811	50
Same	do.	do.	1813	1283
				<hr/> 1333
James Powell	do.	Glynn	1805	335
Same	do.	do.	1806	212
Same	do.	do.	1807	98
Same	do.	do.	1809	255
Robert Leach	do.	do.	1810	415
Same	do.	do.	1811	385
John Burnett, Junior	do.	do.	1813	1361
				<hr/> 3694
John Couper	do.	M'Intosh	1803	937
Same	do.	do.	1804	1049
Same	do.	do.	1805	1089
Same	do.	do.	1807	865
Same	do.	do.	1808	1224
Murdoch M'Leod	do.	do.	1801	165
Theodorick Montfort	do.	do.	1806	248
William A. Dunham	do.	do.	1812	527
				<hr/> 6100
John Waddle	do.	Clarke	1802	57
William C. Dobbins	do.	do.	1811	443
William Jones	do.	do.	1810	180
Mordecai Shackelford	do.	do.	1813	1399
				<hr/> 2079
James Lockhart	do.	Lincoln	1808	367
James Wadsworth	do.	do.	1810	195
James Lesure	do.	do.	1811	435
Same	do.	do.	1812	412
William Dowsing	do.	do.	1813	388
				<hr/> 1797
Epps Duke	do.	Morgan	1811	546
Cyrus Billingslea	do.	do.	1812	111
				<hr/> 657
Benjamin S. Lanier	do.	Scriven	1800	
Same	do.	do.		

Holland M'Tyre,	Collector,	Richmond	1810	3627
John D Antignac,	do.	do.	1812	1507
Anselem Bugg,	do.	do.	1813	4553
				<hr/> 9687
Nathaniel M'Call,	do.	Bulloch	1812	505
Daniel S. Pearce,	do.	Wilkinson	1812	465
Pleasant Compton,	do.	Oglethorpe	1812	298
William Lumpkin,	do.	do.	1813	700
				<hr/> 98
John Darracott,	do.	Wilkes	1803	3526
Thomas Anderson,	do.	do.	1813	1652
				<hr/> 5178
Samuel Burnett,	do.	Telfair	1811	55
James E. Hines,	do.	Liberty	1813	2362
Robert Hutchings,	do.	Jones	1813	315
Thomas I. Johnson,	do.	Pulaski	1813	140
Jonathan Bell,	do.	Twiggs	1813	123
James Ware,	do.	Madison	1813	503
				<hr/> \$ 84,271.

*JAMES BOZEMAN,*  
*Comptroller General.*

*Comptroller-General's Office, 27th October, 1844.*

Ordered to be referred to the committee on finance.

A message from the House of Representatives by Mr. Clayton their Clerk.

*Mr. President,*

The House of Representatives have passed the following bills—

A bill to alter the time of holding courts in the several counties in the middle circuit.

A bill to be entitled an act to authorise David and Charles Farlow to establish a Ferry on their own lands.

A bill to amend an act, to extend the operation of the laws of this state over the persons in Wafford's settlement and to organize the same, passed the 8th December, 1806; and

They have concurred in the resolution requesting his Excellency the Governor, to present to Lt. Col. Daniel Appling a sword suitable to his grade; and a resolution on the subject of printing—and he withdrew.

The Senate took up the message and the said several bills were read the first time.

The bill to be entitled an act for the relief of Charles Smith of Wilkes county, was taken up, read the third time and passed.

The bill to be entitled an act, to make permanent the site of the public buildings in the county of Emanuel and for other purposes, was taken up, read the third time and passed.

The bill to be entitled an act, to explain certain parts

of an act, entitled an act, to quiet and confirm the titles of persons who have purchased lots from and under the commissioners of the town or academy of Waynesboro, in the county of Burke and for other purposes, passed at Milledgeville 6th December, 1813, was taken up and read the second time.

Ordered for a third reading.

The Senate took up the report of the committee of the whole, on the bill to be entitled an act to continue in force an act, supplementary to, and amendatory of an act, to alleviate the condition of debtors, passed the 6th day of December, 1813.

And on motion of Mr. Walker,

That the report of the committee with the amendments proposed thereto, do lie on the table until June next—on the question to agree it was determined in the negative, and the yeas and nays being required are yeas 12, nays 22.

Those in the affirmative are Messrs. Byne, Bird, Flournoy, Freeman, Fulwood, Gaines, Greer, Hardin, Anderson, M'Allister, Piles, Scruggs and Walker.

Those in the negative are Messrs. Blair, Brown, Butler, Cook, Daniel, Dooly, Fannin, Foster, Hatcher, Hawthorn, Hudspeth, Irwin, Lane, Little, Montgomery, Newson, Nesbit, Scott, Spalding, Swain, Williams and Wood.

Mr. Scruggs then moved,

That the amendments proposed to the original report be taken up and agreed to, whereupon Mr. Daniel called for the previous question—that is, shall the main question be now put? and the yeas and nays being re-



quired, are yeas 19—nays 16

Those in the affirmative are Messrs. Blair, Brown, Butler, Cook, Daniel, Dooly, Foster, Gaines, Hatcher, Hawthorn, Hudspeth, Irwin, Lane, Little, Montgomery, Newsom, Scott, Spalding, Swain, Williams and Wood.

Those who voted in the negative, are Messrs. Bird, Byne, Fannin, Flournoy, Freeman, Fulwood, Gaines, Greer, Hardin, Hudson, Hudspeth, Montgomery, M<sup>r</sup>. Alister, Nesbitt, Scruggs and Walker.

Whereupon the original report was agreed to, and the said bill was read the third time, and on the question shall this bill now pass? it was determined in the affirmative, and the yeas and nays being required, are yeas 21 nays 14.

Those who voted in the affirmative, are Messrs. Blair, Brown, Butler, Cook, Daniel, Dooly, Foster, Gaines, Hatcher, Hawthorn, Hudspeth, Irwin, Lane, Little, Montgomery, Newsom, Scott, Spalding, Swain, Williams and Wood.

Those who voted in the negative, are Messrs. Byrd, Byne, Flournoy, Freeman, Fannin, Fulwood, Greer, Hardin, Hudson, M<sup>r</sup>. Allister, Nesbit, Piles, Scruggs and Walker.

Mr. Piles agreeably to notice introduced a bill to authorize the commissioners of the town of Brunswick and Frederica, to collect a tax to rebuild the court house and jail of Glynn county.

On motion of Mr. Walker,

*Resolved*, That the Senate will convene in the Representative chamber on Monday next, at 12 o'clock, for the purpose of electing a Health officer for the city of Savannah in the place of Dr. Reuben S. Saffold, deceased.

On motion of Mr. Walker,

*Resolved*, That Joseph Hutchinson, Esq. be, and he is hereby appointed a trustee of the Richmond academy in the place of Robert Cresswell, deceased.

Mr. Montgomery agreeably to notice moved for the appointment of a committee to prepare and report a bill to add that part of the unlocated territory of this state, which lies without the limits of the present counties to one of the counties of this state, and for other purposes.

Ordered, that Messrs. Montgomery, Walker and Dooly, be that committee.

A message from the his Excellency the Governor by Mr. Porter, his Secretary.

*Mr. President*,

I am directed by his Excellency the Governor, to inform the Senate that he has approved of and signed the following resolutions, to wit:

One confirming the Executive appointment of a commissioner of the Chatham county academy.

One appointing a commissioner of the Penitentiary Edifice.

And one appointing Monday next, for the election of a Brigadier General, in the place of Gen. Stewart, re-

signed, and a Quarter Master General of this state—and he withdrew.

Adjourned 'till 10 o'clock to-morrow morning.

**SATURDAY, 29th October, 1844.**

The hon. Mathew Talbot, a member elect from the county of Wilkes, and the hon. John A. Cuthbert a member elect from the county of Liberty, attended, produced their credentials, and the usual oath being administered to them by Mr. President, took their seats.

Mr. Daniel from the joint committee reported a bill to organize the detachment of men which may hereafter be required by the president of the U. S. from the Executive of this state for the service of the Union, and for other purposes therein expressed.

Mr. Spalding laid on the table the resolution following to wit:

Be it resolved by the Senate and House of Representatives in General Assembly met, and by the authority of the same, that it is expedient to authorize his Excellency the Governor to draw out of the Treasury of the state, or to take from any monies that may be due to the state, from the United States, a sum of money which may be equal to the amount of the Direct tax, of the state of Georgia, and to settle with the Government of the U. S. the amount thereof.

The bill to be entitled an act to explain certain parts of an act, entitled an act to quiet and confirm the titles of persons who have purchased lots from and under the commissioners of the town or academy of Waynesboro, in the county of Burke and for other purposes, passed at Milledgeville 6th December, 1843, was read the third time and passed.

The bill to authorize the collection of an extra tax for the purpose of rebuilding the court house and jail in Glynn county, was read the second time and ordered for a third reading.

The bill to amend an act to extend the operations of the Laws of this state over the persons resident in Wafford's settlement, and

The bill to authorize David and Charles Furlow to establish a ferry across the Oconee river, were read the second time.

Ordered for commitment.

The bill to alter the times of holding the Superior courts in the middle circuit of this state was read the second time.

Ordered for a third reading.

A message from the House of Representatives by Mr. Clayton their Clerk.

*Mr. President*,

The House of Representatives have passed a bill to appropriate money for the purpose of fortifying the city of Savannah the city of St. Mary's and the several inlets between the same.

They have passed a resolution appointing a committee on their part to join such as may be appointed on the part of senate to report a bill for raising a state regiment, &c.—and he withdrew.

The Senate took up the message and the bill was read the first time, and ordered that the resolution do lie on the table.

The Senate took up the bill to divorce Elizabeth O'Reilly and John O'Reilly her husband and to secure to the said Elizabeth certain property and to divorce Rachel Jones and Robert Jones her husband, was taken up, and on the question shall this bill now pass? it was determined in the negative, and the yeas and nays being required are yeas 24, nays 13.

Those who voted in the affirmative, are Messrs. Blair, Brown, Butler, Clark, Fannin, Flournoy, Freeman, Fulwood, Gaines, Greer, Hawthorn, Irwin, Lane, Montgomery, M'Alister, Newsom, Nesbit, Piles, Scott, Spalding, Swain, Walker Williams and Wood.

Those who voted in the negative, are Messrs. Byne, Byrd, Cook, Cuthbert Daniel, Dooly, Foster, Hardin, Hateher, Hdson, Hudspeth, Little and Scruggs.

There not being a constitutional majority, the bill was lost.

A message from the House of Representatives by Mr. Clayton their Clerk.

*Mr. President,*

The House of Representatives have concurred in the resolution from Senate appointing Monday next for the election of a Health officer of the city of Savannah with an amendment—and

They have passed a bill to amend an act to authorize the fortunate drawers in the late Land Lotteries to take out grants—and he withdrew:

The Senate took up the message and the amendment to the resolution was agreed to and the said bill was read the 1st time.

On motion of Mr. Walker,

*Resolved,* That the state commissioners of the town of Milledgeville, be requested to lay before this branch of the Legislature without delay a statement of the funds arising from the rent of the common and from the sale of lots heretofore disposed of, and also what lots remain unsold.

The Senate took up the resolution from the House of Representatives appointing a joint committee for reporting a bill for raising a state regiment, &c. which being read was agreed to—and

Ordered that Messrs. Walker, Dooly and Cook be that committee on the part of Senate.

Mr. Freeman presented a petition from Joseph B. Jones, which being read, was referred to the committee on petitions.

Mr. Montgomery from the committee reported a bill to add all that part of the unlocated territory of this state, which lies without the limits of the present counties to

the county of ————, and for other purposes which was read the first time.

Mr. Daniel from the committee reported a bill to establish an uniform mode of calculating interest in this state, which was read the first time.

The Senate resolved itself into a committee of the whole, on the bill to authorize David and Charles Furlow to establish a ferry on their lands across the Oconee river—Mr. Foster in the chair—Mr. President resumed the chair, and Mr. Foster reported that the further consideration of said bill be postponed till June next.

The Senate took up the report which was agreed to.

The Senate resolved itself into a committee of the whole, on the bill to amend an act, to extend the operation of the lands of this state over the persons resident in Wafford's settlement, and to organize the same, passed the 8th day of December, 1806—Mr. Hudspeth in the chair—Mr. President resumed the chair, and Mr. Hudspeth reported that they had gone through the bill without any amendment.

The Senate took up and agreed to the report of the committee—

And ordered that the same lie on the table.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to amend an act, entitled an act, more effectually to open and keep in repair the public roads, causeways and bridges in this state, passed on the 16th of December, 1811, and to amend an act, entitled an act, to amend an act, entitled an act, more effectually to open and keep in repair the public roads, causeways and bridges in this state, passed on the 10th day of December, 1812—Mr. Spalding in the chair—Mr. President resumed the chair, and Mr. Spalding reported that they had gone through the same without an amendment.

Ordered that the said report do lie on the table.

Adjourned 'till 10 o'clock Monday morning.

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MONDAY, 31st October, 1814.

On motion of Mr. Walker,

The journal of Saturday last, was re-considered, so far as respects the bill to divorce Elizabeth O'Reilly and John O'Reilly, and to secure to the said Elizabeth certain property and to divorce Rachael Jones and Robert Jones.

Ordered that the said bill do lie on the table.

Mr. Freeman presented a petition from James Thomas which was read and referred to the committee on petitions.

Mr. Greer from the committee reported a bill to authorize the commissioners therein named to establish a Lottery for the purpose of raising the sum of seven thousand dollars the better to enable Henry Heald, Jacob Gregg and Robert Pearman to erect a Woollen Factory at some convenient place in the upper part of this state, which was received and read the first time.

A message from the House of Representatives by Mr. Clayton their Clerk.

*Mr. President,*

The House of Representatives have passed a resolution appointing a Notary Public for the county of Madison—and he withdrew.

The Senate took up and concurred in the said resolution.

The bill to be entitled an act to alter the times of holding the Superior Courts of the middle circuit in this state was read the third time and passed.

The bill to appropriate a sum of money for the purpose of fortifying the city of Savannah, the city of St. Mary's and the several inlets between the same, was read the second time.

Ordered for commitment.

The bill to authorize the collection of an extra tax for the purpose of rebuilding a court-house and jail in Glynn county, was read the third time and passed.

The Senate took up the report of the committee of the whole, on the bill to amend an act, to extend the operation of the Laws of this state over the persons resident in Wafford's settlement and to organize the same, and the same being read was agreed to.

Whereupon the said bill was read the third time and passed.

A message from his Excellency the Governor by Mr. Porter his Secretary.

*Mr. President,*

I am directed by his Excellency the Governor to notify the Senate that he has this day approved of and signed six resolutions which originated in this branch of the Legislature, the substance of which is as follows, to wit:

One directing the commissioners of the Penitentiary Edifice to lay before the General Assembly a statement of the receipts and expenditures up to the present period, together with a statement of the progress of the said Edifice.

One that the Senate will convene in the Representative chamber this day at 12 o'clock for the purpose of electing a Health officer for the port of Savannah, in the place of Doctor Reuben S. Saffold, deceased, and also commissioners for the town of Milledgeville in the room of those resigned.

One that Messrs. S. & F. Grantland have the printing of the Laws, Journals, and other public documents ordered to be printed by the present General Assembly, at the same price and upon the same terms as for the preceding political year.

One on the subject of the Inferior Courts of the counties of Columbia and Warren paying to Reuben Y. Langston and Piersen Pettit of Columbia, the sum of \$2 75 per mile for running and marking the line dividing the said counties.

One requesting his Excellency the Governor to have purchased and presented to Lieut. Col. Daniel Appling

of the United States army, for his heroic and brave exploits during the present War, an elegant sword, suitable for an officer of his grade—and

One on the subject of presenting the thanks of the citizens and of the Legislature of Georgia to Capt. Warington, Capt. Porter, Commodore M'Donough, Gen. Brown, Gen. Scott, Gen. Gaines, Gen. Jackson, Gen. M'Comb and Commodore Barney, and to Capt. Blakeley, Generals Porter, Ripley and Miller, Major Wm. Lawrence, Lt. Col. Appling, Gen. Floyd and Adjutant Gen. Newnan.

The bill to establish a uniform mode of calculating interest in this state, was read the second time.

Ordered for commitment.

The bill to add all that part of the unlocated territory of this state which lies without the limits of the present counties, to the county of \_\_\_\_\_, and for other purposes, was read the second time.

Ordered for commitment.

The bill giving farther time to fortunate drawers to take out grants, &c. was read the second time,

And ordered for commitment.

The bill altering an act, organizing the detachments of men which may hereafter be required by the president U. S. from the Executive of this state for the service of the Union, and for other purposes, was read the second time.

Ordered for commitment.

The Senate resolved itself into a committee of the whole, on the bill to appropriate a sum of money for the purpose of fortifying the city of Savannah the city of St. Mary's and the several inlets between the same—Mr. Foster in the chair—Mr. President resumed the chair, and Mr. Foster reported progress and had leave to sit again.

On motion of Mr. Hudson,

*Resolved,* That William Wood is hereby appointed a commissioner of the academy of Elbert county, in the room of John H. Brewer, deceased.

A message from the House of Representatives by Mr. Clayton their Clerk.

*Mr. President,*

I am directed to inform the Senate that the House of Representatives are now ready to receive them in the Representative chamber for the purpose of electing a Brigadier General, a Quarter Master General, a Health officer for the port of Savannah, and state commissioners for the town of Milledgeville—and he withdrew.

The Senate then repaired to the Representative chamber, and being seated proceeded by joint ballot to said elections, and on counting out the votes it appeared that Elias Reall, was duly elected Brigadier General, in the place of Brigadier General Stewart, resigned, Wm. A. Tennill Quarter Master General of this state, Doctor John A. Casey, Health officer for the port of Savannah, and Augustin Harris, Sexton Grantland, James Bozeman, Francis Jeter and Edmund B. Jeter

kins, were duly elected state commissioners for the town of Milledgeville.

The Senate then repaired to their chamber—and Adjourned 'till to-morrow morning 10 o'clock.

## TUESDAY, 1st November, 1814.

Mr. Newsom gives notice that he will on to-morrow move for leave to introduce a bill prescribing a more uniform, easy and effectual method for collecting, disposing of, and settling the county funds in the respective counties in this state.

Mr. President laid before the Senate two affidavits from Telfair county on the subject of the election of the Honorable Gibson Clark, which being read, were ordered to lie on the table the balance of the session.

The bill authorising the establishment of a Lottery for the purpose of enabling certain persons therein named to establish a Woollen Factory, was read the second time.

Ordered for committee of the whole.

The Senate resolved itself into a committee of the whole on the bill amendatory of an act to allow the fortunate drawers in the late Land Lotteries in this state further time to take out their grants—Mr. Nesbit in the chair—Mr. President resumed the chair, and Mr. Nesbit reported that they had gone through the said bill without any amendment.

The Senate took up the report and the same being read, Mr. Foster, Mr. Daniel and Mr. Freeman offered an amendment to the report, on which the previous question was called for, and the main question was then put? shall the original report be agreed to, which was determined in the affirmative, and the yeas and nays being required are yeas 20—nays 17.

Those who voted in the affirmative are Messrs. Brown, Byne, Byrd, Clark, Cuthbert, Dooly, Foster, Gaines, Hardin, Hudson, M'Allister, Piles, Scott, Scruggs, Spalding, Talbot, Walker, Williams and Wood.

Those who voted in the negative are Messrs. Blair, Butler, Cook, Daniel, Fannin, Freeman, Fulwood, Greer, Hatcher, Hawthorn, Hudspeth, Irwin, Lane, Little, Montgomery, Newsom and Swain.

Whereupon the said bill was read the third time, and on the question shall this bill now pass? it was determined in the affirmative, and the yeas and nays being required are yeas 21—nays 16.

Those who voted in the affirmative, are Messrs. Brown, Byne, Byrd, Clark, Cuthbert, Dooly, Foster, Freeman, Gaines, Hardin, Hawthorn, Hudson, M'Allister, Nesbit, Piles, Scott, Scruggs, Spalding, Talbot, Walker and Wood.

Those who voted in the negative are Messrs. Blair, Butler, Cook, Daniel, Fannin, Fulwood, Greer, Hatcher, Hudspeth, Irwin, Lane, Little, Montgomery, New-

som, Swain and Williams.

A message from his Excellency the Governor, by Mr. Porter, his Secretary.

*Mr. President,*

I am directed by his Excellency the Governor, to lay before this branch of the Legislature, the following communication, to wit :

*Executive Department, Georgia,  
Milledgeville, 1st December, 1814.*

*To the Senate and*

*House of Representatives.*

In compliance with a resolution of the Legislature, passed at their last session, I now communicate to them the reports of the Solicitors General for the Eastern and Western Districts on the situation of suits commenced and judgments obtained in their several districts, on the bonds given for the purchase of reverted confiscated property—and also the situation of the mortgages given to secure the payment of said bonds. No report has been received from the Attorney General.—I also lay before the Legislature, copies of communications which have been received from the Governors of Tennessee and Pennsylvania inclosing certain proceedings of the Legislatures of those states, on the subject of an alteration to the constitution of the United States in relation to the term of office prescribed for Senators in Congress, together with communications from the Governors of New-Hampshire and Massachusetts, inclosing the proceedings of the Legislatures there on the same subject. Connected with this subject it is proper that I should now state to the Legislature that a resolve of theirs having the same object in view was laid before me at the last session, but too late to be acted on, prior to their adjournment; and as it was disapproved, the reasons for that measure as entered on the Executive Journal are now submitted.

I recommend to the Legislature, to create by law the office of Pay-Master General of the militia of this state, and to provide the mode of appointment; for want of such an officer, the pay masters of regiments are obliged to settle their accounts at the city of Washington.

**PETER EARLY.**

And the same being read, ordered that Document No. 1, accompanying the same be referred to the committee on Finance, and that the communication and document No. 2, be referred to the committee on the State of the Republic.

A message from the House of Representatives by Mr. Clayton their Clerk.

*Mr. President,*

The House of Representatives have passed a bill to repeal a part of the tenth section of an act, passed the 27th January, 1785.

A bill to secure to John Beck his heirs and assigns the right and privilege of erecting a toll bridge across

the Savannah river, on his own land—and he withdrew.

The Senate took up the message and the said bills were read the first time.

On motion of Mr. Dooly,

Whereas a certain act is pending before the General Assembly to appropriate a sum of money for the purpose of fortifying the cities of Savannah and St. Mary's, and the several inlets between the same:

And whereas in said bill or act, there is no provision appointing persons to appropriate or lay out the several appropriations therein contemplated to be made, nor is any security required for the faithful discharge of the duties of the several persons appointed to lay out and apply the sums so appropriated—

Be it resolved that in pursuance of said act the Governor is requested to appoint as commissioners for the city of Savannah the following persons, to wit: Josepa Habersham, Charles Harris, George Jones, J. Johnson, and J. Bolton—for the city of St. Mary's and county of Camden, W. Scott, C. Floyd, and J. Hardie; for the county of Bryan Col. John Pray, Lee Blackwell and G. M. Waters; for the county of Liberty, General D. Stewart, J. Stephens, W. Fleming, J. Elliot, J. Law, J. Stay and A. Maybank; for the county of McIntosh, Major Francis Hopkins, J. Nephew, and Y. Spalding; and for the county of Glynn, Maj. William Page, J. Cooper and L. Wilson; and that his Excellency the Governor be required to take bond and security of the several persons herein named before they enter upon the duties assigned them, by the before named act, for the performance of their duties as commissioners for the before mentioned purposes, and that his Excellency the Governor, deduct from the sum of forty five thousand dollars appropriated for the city of Savannah the amount heretofore advanced by him for the fortification of the said city.

The Senate resolved itself into a committee of the whole, on the bill to appropriate a sum of money for the purpose of fortifying the city of Savannah, the city of St. Mary's and the several inlets between the same—Mr. Talbot in the chair—Mr. President resumed the chair, and Mr. Talbot reported that they had gone thro' the same without any amendment.

Ordered that the said report do lie on the table.

The Senate resolved itself into a committee of the whole, on the bill to add all that part of the unlocated territory of this state which lies without the limits of the present counties to the county of \_\_\_\_\_, for the purpose of giving the courts jurisdiction of crimes committed by white persons against white persons in said territory, and for other purposes—Mr. Irwin in the chair—Mr. President resumed the chair, and Mr. Irwin reported progress and had leave to sit again.

Mr. Dooly gives notice that he will on to-morrow move for the appointment of a committee to prepare and report a bill to consolidate the funds of this state and to establish a bank thereon.

Mr. Lane from the committee on enrolment reported as duly enrolled and signed by the Speaker, the following acts, to wit:

An act to alter the names of Whitmel Rogers and Reddick Rogers.

An act for the relief of Charles Smith of Wilkes county—and

An act to authorize the board of Directors of the Planters' Bank of the state of Georgia, and its officers, to remove from the city of Savannah and transact business in any part of the state of Georgia, under certain circumstances therein mentioned, which were severally presented to and signed by the President.

Ordered that the committee do carry said acts to the Secretary of States' Office and see the great seal affixed thereto.

On motion,

Ordered that Mr. Walker be added to the committee on the State of the Republic.

Adjourned 'till 10 o'clock to-morrow morning.

WEDNESDAY, 2d November, 1814.

On motion of Mr. Daniel,

To reconsider the Journal of yesterday so far as respects the bill giving further time to fortunate drawers to take out their grants, &c. it was determined in the affirmative, and the yeas and nays being required, are yeas 20—nays 18.

Those who voted in the affirmative are Messrs. Blair, Butler, Cook, Daniel, Fannin, Foster, Fulwood, Greer, Hardin, Hatcher, Hawthorn, Hudspeth, Irwin, Lane, Little, Montgomery, Newson, Swain, Williams and Wood.

Those who voted in the negative are Messrs. Brown, Byne, Byrd, Clark, Cuthbert, Dooley, Flournoy, Freeman, Gaines, Hudson, M'Allister, Nesbit, Piles, Scott, Scruggs, Spalding, Talbot and Walker.

The Senate took up the said bill.

Mr. Clark moved the following resolution.

Resolved, That it is the sense of Senate on the reconsideration of the passage of any bill that it is not in order to recommit the same to a committee of the whole; and on the question to agree to the same, the yeas and nays being called for, are yeas 19—nays 19.

Those who voted in the affirmative are Messrs. Brown, Byne, Byrd, Clark, Cuthbert, Dooley, Flournoy, Freeman, Gaines, Hudson, Hudspeth, M'Allister, Nesbit, Piles, Scott, Scruggs, Spalding, Talbot and Walker.

Those who voted in the negative are Messrs. Blair, Butler, Cook, Daniel, Fannin, Foster, Fulwood, Greer, Hardin, Hatcher, Hawthorn, Irwin, Lane, Little, Montgomery, Newson, Swain, Williams and Wood.

The votes being equal Mr. President decided in favor of the resolution.

Whereupon the said bill was read the third time and passed.



A message from the House of Representatives by Mr. Clayton their Clerk.

*Mr. President,*

The House of Representatives have passed a bill for the relief of Charles and William Kennon.

A bill to divorce John Neely and Sarah his wife—and

A bill to divorce John Womack and Mary his wife.

They have concurred in the resolution from Senate appointing commissioners to appropriate monies contemplated to be expended in fortifications &c. with amendments—and he withdrew.

Ordered to lie on the table.

The Senate took up the report of the committee of the whole, on the bill to appropriate a sum of money for the purpose of fortifying the city of Savannah, the city of St. Mary's, and the several inlets situated between the said cities.

Ordered that the said bill be recommitted to a committee of the whole.

Whereupon the Senate again resolved itself into a committee of the whole, on said bill—Mr. Foster in the chair—Mr. President resumed the chair, and Mr. Foster reported that they had gone thro' the same with amendments.

The Senate took up and agreed to the report.

Whereupon the said bill was read the third time and passed.

Adjourned 'till to-morrow morning 9 o'clock.

#### THURSDAY, 3d November, 1814.

The Senate resolved itself into a committee of the whole, on the bill to amend an act, to organize the detachments of men which may hereafter be required by the President of the United States from the Executive of this state for the service of the Union, and for other purposes therein expressed, passed the 6th December 1813, —Mr. Irwin in the chair—Mr. President resumed the chair, and Mr. Irwin reported that they had gone thro' the said bill with amendments.

Ordered that the said report do lie on the table.

The Senate took up the report of the committee on the bill to amend an act, more effectually to open and keep in repair the public roads causeways and bridges in this state, &c. and the same being read was agreed to.

Whereupon the said bill was read the third time and passed.

A message from the House of Representatives by Mr. Clayton their Clerk.

*Mr. President,*

The House of Representatives have passed a resolution requesting his Excellency the Governor to procure a sword suitable to the rank and grade of Lieut. James

M<sup>c</sup>Intosh a native of Georgia, and that he cause the same to be presented to that meritorious officer as a testimony of the high estimation in which he is held by the Legislature of his native state, for his gallantry and intrepidity displayed in the late actions at Sandy Creek and Conjocketa Creek, near Black Rock—and he withdrew.

The Senate took up and unanimously concurred in the said resolution.

The Senate resolved itself into a committee of the whole, on the bill to authorize the commissioners therein named to establish a Lottery, for the purpose of raising a certain sum of money, to enable the persons therein named to erect a Woollen Factory at some convenient place in the upper part of this state—Mr. Cook in the chair—Mr. President resumed the chair, and Mr. Cook reported that they had gone through the said bill with an amendment.

The Senate took up and agreed to the report.

Whereupon the said bill was read the third time and passed.

Ordered that Messrs. Spalding, Scott and M<sup>c</sup>Allister, have leave of absence the balance of the session.

The bill to repeal part of the 10th section of an act, passed 27th January 1785, was read the second time.

Mr. Dooley moved, that the said bill stand for committee of the whole, in June next, and on the question to agree to the same it was determined in the negative, and the yeas and nays being required are yeas 15—nays 20.

Those who voted in the affirmative are Messrs. Brown, Byne, Clark, Cuthbert, Dooley, Flournoy, Fulwood, Gaines, Irwin, Lane, M<sup>c</sup>Allister, Piles, Scott, Spalding and Walker.

Those who voted in the negative are Messrs. Blair, Butler, Byrd, Cook, Daniel, Fannin, Foster, Greer, Hardin, Hatcher, Hawthorn, Hudson Hudspeth, Little, Montgomery, Newsom, Scruggs, Swain, Williams and Wood.

Whereupon the said bill was ordered for a committee of the whole on to-morrow.

Ordered, that Mr. Talbot be added to the committee on Finance.

The bill to secure to John Beck the right of erecting a toll bridge across the Savannah river, was read the second time.

Ordered for a committee of the whole.

The rule being dispensed with Mr. Fannin, had leave to report a bill to amend an act, to make permanent the site of the public buildings of Morgan county and town of Madison, and to incorporate the same, which was received and read the first time.

Mr. Walker from the committee reported on the petition of Reuben Wilkinson, which was ordered to lie on the table.

Mr. Newsom agreeably to notice introduced a bill

prescribing a more uniform, easy and effectual mode for collecting, disposing of, and selling the county funds of the several counties in this state, which was received and read the first time.

The Senate took up the message of yesterday from the House of Representatives and the bills therein contained were read the first time.

Mr. Walker gives notice that he will on to-morrow move for leave to introduce a bill to authorize Walter Leigh of the city of Augusta to erect a wharf opposite his lot No. 6, on Bay street in the said city.

Adjourned 'till 9 o'clock to-morrow morning.

### FRIDAY, 4th November, 1814.

The President laid on the table a petition from Jarvis Jackson, which was read and referred to the committee on petitions.

On motion of Mr. Freeman,

*Resolved*, That Harris Allen and Alexander Greene be, and they are hereby appointed Vendue Masters for the town of Milledgeville.

The Senate resolved itself into a committee of the whole, on the bill to establish an uniform mode of calculating interest in this state and to prevent the collection of compound interest—Mr. Newsom in the chair—Mr. President resumed the chair, and Mr. Newsom reported that they had gone through the same with an amendment.

Ordered, that the said report do lie on the table.

The Senate resolved itself into a committee of the whole on the bill to repeal part of the 10th section of an act passed the 27th day of January, 1785—Mr. Foster in the chair—Mr. President resumed the chair, and Mr. Foster reported that they have gone through the bill with amendments.

The report was taken up and agreed to, with the amendments.

Whereupon the said bill was read the third time and passed.

The bill to amend an act, to make permanent the site of the public buildings in Morgan county, &c. was read the second time.

Ordered for a third reading.

The bill to divorce John Neely and Sarah his wife &c. was read the second time.

Ordered to lie on the table the balance of the session.

Ordered that the bill to divorce and separate John Womack and Mary his wife, lie on the table till June next.

The bill for the relief of Charles and Richard Kenyon was read the 2d time.

Ordered for a committee of the whole.

The bill to prescribe an uniform mode of collecting, disposing of, and settling the county funds of the respec-

tive counties in this state, was read the second time.

Ordered, for a committee of the whole.

Mr. Hudspeth gives notice that he will on to-morrow move for the appointment of a committee, to prepare and report a bill to alter and amend an act, to point out the mode for the collection of rents.

Mr. Piles from the committee on petitions reports as follows, to wit :

On the petition of Joseph B. Jones, your committee beg leave to offer the following resolution :

*Resolved*, That the commissioners of the town of Milledgeville be, and they are hereby authorised to lease to Joseph B. Jones for the term of ten years, ten acres of land on the common of said town including the buildings and cleared ground, now occupied by him for the establishment of a Brewery, and the same being read was agreed to.

The committee on petitions to whom was referred the petition of James Thomas, Executor of L. Booth, have had the same under their consideration and conceive the same to be impolitic, and ought not to be granted, which was read and agreed to.

Also the petition of sundry inhabitants of Hancock county, praying to be added to the county of Baldwin, is unreasonable and ought not to be granted.

Ordered to lie on the table.

Mr. Lane presented a petition from Richard Moore, which was read and referred to the committee on petitions:

A message from his Excellency the Governor, by Mr. Porter his Secretary.

Mr. President,

I am directed by his Excellency the Governor to lay before this branch of the Legislature the following communication, to wit :

*Executive Department, Georgia,  
Milledgeville, 4th November, 1814.*

### TO THE SENATE.

In compliance with your resolution of the 22d of October past, calling for information relative to the situation and number of the public arms—and also requesting the opinion of the Executive, whether that number be sufficient in the present aspect of our affairs, I proceed to submit the following statement and observations. The whole number of muskets belonging to the state, is five thousand ; of these about four thousand are fit for use. The balance can be rendered so by repairs. The whole number of rifles is two hundred and eighty five ; of these about two hundred are fit for use, the balance need repairs. It is not supposed necessary by me, that more muskets should be purchased by the state. By an act of Congress passed on the 23d day of April, 1808, the annual sum of two hundred thousand dollars is appropriated for the purpose of providing arms

and equipments for the whole body of the militia of the United States. These arms and equipments are to be distributed among the different states and territories, in proportion to their number of militia.

Under this Law the state of Georgia received in the year 1812, one thousand stand of muskets, which are included in the number above specified. It is altogether probable that a considerable number more are by this time subject to our requisition. The article of rifles claims more particular attention. This species of arms has by experience been found in the highest degree useful. It is probable that the demand for them in the regular army is such that none can be spared to the militia. I consider it advisable therefore that provision should be made for procuring about five hundred stand.

Those on hand are not good; their caliber is too small and they are too long in the barrel. I have received an offer from a gun-smith in South Carolina who has made a supply for that state, to manufacture as many as we may want.

#### PETER EARLY.

The Senate took up the communication which was referred to the committee on the State of the Republic.

Ordered, that Messrs. Fulwood, Piles and Lane, have leave of absence 'till Tuesday morning.

Mr. Butler, presented a petition from William Booth, which was read and referred to the committee on Finance.

The Senate took up and agreed to the following report, to wit:

The committee to whom was referred the petition of Reuben Wilkinson,

*Report,* That they have with some pains investigated the subject matter of said petition, and find that Gen. Thomas Glascock in the year, 1794, petitioned the General Assembly of this state, alledging that he had purchased from the public a tract of land for the quantity of one thousand acres, which on a resurvey was found to contain only six hundred and ninety acres, and prayed relief in the premises; which prayer was thought reasonable, and a resolution predicated on said petition passed, recommending relief commensurate with the injury.

But the sum thus recommended not being put into the appropriation act the same was not paid. That in the year 1797 the said Thomas Glascock again petitioned, and prayed relief, which was granted, and a settlement in conformity therewith was made with the Treasurer. In consequence of which premises the surplus of the one thousand acres, if to be found, became revested in the state of Georgia.

The petitioner Reuben Wilkinson having stated in his petition that he knows the land in question and that the same may be found, and praying that an opportunity may be afforded him in common with others of purchasing the same; your committee recommend the following resolution.

*Resolved,* that the Sheriff of Scriven county be directed to advertise and sell to the highest bidder for cash or liquidated demands against the state, at the courthouse of Scriven county, the said tract of three hundred and ten acres of land. The reverted surplus of the thousand acres so sold as aforesaid to the said Thomas Glascock, giving thirty days notice of the time of making such sale, and that the amount accruing from the sale of said land be by said Sheriff deposited in the Treasury of this state.

A message from the House of Representatives by Mr. Clayton their Clerk.

*Mr. President,*

The House of Representatives have concurred in the resolution appointing a trustee of the Elbert county academy—and

The resolution appointing a trustee of the Richmond county academy.

They have passed a resolution appointing a committee on their part to join such as may be appointed on the part of Senate on the subject of addressing his Excellency the Governor to remove military officers.

They have passed a resolution appointing a commissioner of the Washington county academy—and

They have passed a bill to alter and amend an act, for the government of the town and common of Brunswick and Frederica.

They have agreed to all the amendments to the bill appropriating money for fortifying the city of Savannah—and he withdrew.

The Senate took up the message and concurred in the resolution appointing a commissioner of the town of Washington.

The bill in said message was read the first time.

Mr. Foster moved that the resolution appointing a joint committee on the subject of addressing his Excellency the Governor, to remove military officers, do lie on the table the balance of the session; and on the question to agree to the same, it was determined in the negative, and the yeas and nays being required are yeas 12—nays 20.

Those who voted in the affirmative are Messrs. Brown, Butler, Byne, Bird, Clark, Dooly, Flournoy, Foster, Hardin, Scruggs Walker and Williams.

Those who voted in the negative are Messrs. Blair, Cook, Cuthbert, Daniel, Fannin, Freeman, Fulwood, Gaines, Greer, Hatcher, Hawthorn, Hudson, Hudneth, Lane, Little, Montgomery, Nesbit, Newsom, Swain, and Wood.

Whereupon the said resolution was concurred in, and a committee appointed on the part of Senate consisting of Messrs. Dooly, Montgomery, Walker, Foster and Cook.

Mr. Walker agreeably to notice introduced a bill authorizing Walter Leigh of the city of Augusta to erect a wharf opposite his lot No. 6, on Bay street in the city of Augusta, which was read the first time.

On motion of Mr. Walker,



The Honorable William Rabun, President of Senate having obtained leave of absence 'till Monday next 12 o'clock,

*Resolved*, That the Honorable Jared Irwin be, and he is hereby appointed President of the Senate pro tempore.

Adjourned 'till 9 o'clock to-morrow morning.

### SATURDAY, 5th November, 1814.

The Senate proceeded to reconsider the minutes of yesterday so far as respects the bills for divorce—and

Ordered, that said bills do lie on the table.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act prescribing a more uniform, easy and effectual method for collecting, disposing of, and settling the county funds in the respective counties in this state, &c.—Mr. Nesbit in the chair—Mr. President pro. tem. resumed the chair, and Mr. Nesbit reported progress and had leave to sit again.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, for the relief of Richard and Charles Kennon—Mr. Montgomery in the chair—Mr. President pro. tem. resumed the chair, and Mr. Montgomery reported that they had gone through the bill with an amendment.

The Senate took up the report and the amendment was agreed to.

Whereupon the said bill was read the third time, and passed under the title of an act for the relief of the heirs and representatives of John Kennon, deceased.

The Senate took up the report of the committee of the whole on the bill to be entitled an act to establish an uniform mode of calculating interest in this state, and to prevent the collection of compound interest, second section in the words following—

Be it therefore enacted by the Senate and House of Representatives of the state of Georgia, in General Assembly met, and it is enacted by the authority of the same, that in future the mode of calculating interest in this state, shall be at and after the rate of eight per cent per annum; and when ever any payment shall be made on any note, bond or other instrument, demand, execution or judgment, when any interest has accrued on any such note, bond or other instrument, execution or judgment, such payment shall be taken from the principal when the payment shall not exceed the principal, and all sums paid over and above the principal shall be applied to the payment of the interest. And the same being amended to read in the words following:

Be it therefore enacted by the Senate and House of Representatives of the state of Georgia, in General Assembly met, and it is enacted by the authority of the same, that in future the mode of calculating interest in this state shall be at and after the rate of eight per cent per annum; and when any payment shall be made on any note, bond or other instrument, demand, execution

or judgment when any interest has accrued on any such note, bond or other instrument, execution or judgment, shall in the first place be applied to the discharge of interest due, and no part of the principal shall be considered as discharged until the interest shall have been first extinguished;

*Provided nevertheless*, that in all cases where the payment made shall not be sufficient to discharge all the interest due at the time of the payment, no interest shall at any future payment be calculated on the balance of interest which was left unpaid; and on the question to agree to the said section as amended, it was determined in the affirmative, and the yeas and nays being required are yeas 17—nays 13.

Those in the affirmative are Messrs. Byne, Clark, Cuthbert, Fannin, Flournoy, Foster, Freeman, Gaines, Hardin, Hawthorn, Hudspeth, Little, Montgomery, Nesbitt, Swain, Walker and Wood.

Those who voted in the negative, are Messrs. Blair, Brown, Butler, Byrd, Cook, Daniel, Dooly, Hatcher, Hudson, Lane, Newsom, Scruggs and Williams.

On motion of Mr. Dooly,

That the last section of said bill be stricken out; on the question it was determined in the negative, and the yeas and nays being required are yeas 12—nays 18.

Those in the affirmative, are Messrs. Byne, Clark, Dooly, Fannin, Flournoy, Foster, Freeman, Gaines, Hardin, Nesbit, Walker and Wood.

Those in the negative, are Messrs. Blair, Brown, Butler, Byrd, Cook, Cuthbert, Daniel, Hatcher, Hawthorn, Hudson, Hudspeth, Lane, Little, Montgomery, Newsom, Scruggs, Swain and Williams.

Whereupon the report was gone through, and agreed to, and the said bill was read the third time, and on the question shall this bill now pass? it was determined in the affirmative, and the yeas and nays being required are yeas 19—nays 11.

Those in the affirmative, are Messrs. Blair, Brown, Butler, Byrd, Cook, Cuthbert, Daniel, Hatcher, Hawthorn, Hudson, Hudspeth, Lane, Little, Montgomery, Newsom, Nesbit, Scruggs, Swain and Williams.

Those in the negative, are Messrs. Byne, Clark, Dooly, Fannin, Flournoy, Foster, Freeman, Gaines, Hardin, Walker and Wood.

A message from the House of Representatives by Mr. Clayton their Clerk.

*Mr. President*,

The House of Representatives have passed the bill to be entitled an act, to regulate attachments in this state, with amendments—and

They have passed the bill from Senate to be entitled an act, securing to John McKinnie and Henry Shultz, the exclusive right of erecting a bridge over the Savannah river, at or near the city of Augusta—and he withdrew.

The Senate took up the message, and resolved that the Senate do disagree to the amendments made by the House of Representatives to the bill to be entitled an

act to regulate attachments in this state, except the last, which they have agreed to.

The bill to be entitled an act, to amend an act, entitled an act, to make permanent the site of the public buildings in Morgan county, at the town of Madison and to incorporate the same, passed the 12th day of December, 1809, was taken up and read the third time and passed.

Mr. Dooly from the committee on the State of the Republic, to whom was referred that part of His Excellency the Governor's communication, on the subject of reducing the term of service of our Senators in Congress, reported the following resolution.

Resolved by the Senate and House of Representatives of the state of Georgia in General Assembly met, that our Senators in Congress be instructed, and our Representatives requested to use their best endeavors to prevail upon Congress to propose to the several states for their adoption of an amendment to the constitution of the United States to reduce the term of service of the Senators in Congress from six to four years which report being read was ordered to lie on the table.

Mr. Lane from the committee on enrolled bills reported as duly enrolled and signed by the Speaker, sundry acts which were severally presented to, and signed by the President of Senate.

Ordered, that the committee on enrolment do carry said acts to his Excellency the Governor for his revision.

Mr. Dooly agreeably to notice moved for a committee to prepare and report a bill to be entitled an act to consolidate the funds of this state and to establish a bank thereon.

Ordered that Messrs. Dooly, Lane and Freeman be that committee.

Mr. Hudspeth agreeably to notice moved for a committee to prepare and report a bill to be entitled an act, to alter and amend an act, to point out the mode for the collection of rents.

Ordered, that Messrs. Hudspeth, Flournoy and Cook be that committee.

The bill to be entitled an act, to authorize Walter Leigh of the city of Augusta to erect a wharf opposite his lot No. 6, on Bay street in said city was taken up and read the second time.

Ordered for a third reading.

The bill to be entitled an act, to alter and amend an act, passed 3d December, 1813, for the regulation and government of the town and common of Brunswick and Frederica, was read the second time and ordered for a committee of the whole.

Mr. Gaines gives notice that he will on Monday next, ask leave to bring in a bill to be entitled an act, to authorize the Inferior court of Pulaski county to draw Jurors for said county.

The bill to divorce and separate John Womack and Mary his wife, was read the second time, and ordered for a committee of the whole.

Mr. Lane presented instantaneously a bill to be entitled

an act supplementary to, and amendatory of an act, entitled an act, to amend an act entitled an act, giving further time to fortunate drawers in the late Land Lotteries to take out their grants, passed the 5th day of November, 1814, which was read the first time.

Adjourned 'till 10 o'clock Monday morning.

## MONDAY, 7th November, 1814.

Mr. Hudspeth laid on the table the following resolution, to wit :

Resolved by the Senate and House of Representatives of the state of Georgia, in General Assembly met, that a committee be appointed to examine into the criminal code, and all acts of the General Assembly of this state in relation thereto, and report to his Excellency the Governor on or before the first Monday in November, and by him to be laid before the next General Assembly what amendments, if any, are necessary to be made in the said code and laws, and that they have leave to report by bill or otherwise.

And be it further resolved, that the said committee in the performance of this duty shall meet at \_\_\_\_\_, on or before the \_\_\_\_\_ day of \_\_\_\_\_ next, and shall continue in session; not exceeding \_\_\_\_\_ days, and for their services during that period shall receive at and after the rate of \_\_\_\_\_ dollars each per day, for such length of time as they shall or may be in session.

The bill to be entitled an act, supplementary to, and amendatory of an act, entitled an act, giving further time to the fortunate drawers in the late Land Lotteries to take out their grants, passed on the 5th day of November, 1814, was read the 2d time, and ordered for a committee of the whole.

The Senate then resolved itself into a committee of the whole on said bill—Mr. Nesbit in the chair—Mr. President pro. tem. resumed the chair, and Mr. Nesbit reported that they had gone through the same with an amendment.

The Senate took up the report and the same being read was agreed to—and

Ordered for a third reading.

Mr. Lane from the committee on enrolled bills reported as duly enrolled and signed by the Speaker, an act securing to John McKinnie and Henry Shultz, their heirs and assigns the exclusive right to a bridge at or near the city of Augusta, which was presented to and signed by the President pro. tem.

Ordered, that the committee do take said act to his Excellency the Governor for his revision.

Mr. Gaines agreeably to notice, introduced a bill to authorize the drawing a Grand and Petit Jury for the county of Pulaski, which was received and read the first time.

The bill authorising Walter Leigh of the city of Augusta to erect a wharf on his lot No. 6, on Bay street in

the said city, was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to add all that part of the unlocated territory of this state which lies without the limits of the present counties to the county of \_\_\_\_\_, &c.—Mr. Newsom in the chair—Mr. President resumed the chair, and Mr. Newsom reported that they had gone through the same with amendments.

The Senate took up the report which was agreed to.

Whereupon the said bill was read the third time and passed.

Ordered that the bill, prescribing a more uniform, easy and effectual method for collecting, disposing of, and settling the county funds in the respective counties in this state, do lie on the table the balance of the session.

The rule being dispensed with, Mr. Montgomery had leave to report a bill to amend an act, supplementary to the judiciary system of this state, passed 15th day of December, 1809, which was received and read the first time.

Adjourned 'till to-morrow morning 10 o'clock.

## TUESDAY, 8th November, 1814.

The bill to be entitled an act, supplementary to, and amendatory of an act, entitled an act, to amend an act, entitled an act, to authorise the fortunate drawers in the late Land Lotteries in this state to take out their grants until 10th November, 1814, and after that day to authorize any citizen of this state to take out grants in said Lotteries and for other purposes therein mentioned, passed 5th November, 1814, was read the third time, and on the question shall this bill now pass? it was determined in the affirmative, and the yeas and nays being required are yeas 20—nays 11.

Those who voted in the affirmative are Messrs. Blair, Butler, Cook, Daniel, Fannin, Greer, Hardin, Hatcher, Hawthorn, Hudson, Hudspeth, Irwin, Lane, Little, Montgomery, Nesbit, Newsom, Swain, Williams and Wood.

Those who voted in the negative are Messrs. Brown, Byne, Byrd, Clark, Cuthbert, Dooly, Flournoy, Freeman, Gaines, Scruggs and Talbot.

The bill to authorize the Inferior court of Pulaski county to draw Grand and Petit Jurors was read the second time—and

Ordered for a third reading.

The bill to amend an act, supplementary to the judiciary system of this state, passed 15th December, 1809, was read the second time—and

Ordered for a committee of the whole.

A message from the House of Representatives by Mr. Clayton their Clerk.

*Mr. President,*

The House of Representatives have passed the bill

from Senate to add a part of the county of Tatnall to the county of Montgomery with an amendment—and

The bill to alleviate the condition of debtors &c. with an amendment.

They have passed a resolution on the petition of John Milligan Patrick.

A resolution appointing a Notary Public for the county of Glynn.

They have passed a bill to establish and regulate the inspection of Flour.

A bill to divorce Polly Martin and John Joseph Martin, her husband, &c.

A bill to authorize the raising of a corps for the service of the state of Georgia, &c.—and he withdrew.

The Senate took up the message and the several bills from the House of Representatives were read the first time.

The resolutions concurred in, &c.

The amendments to the bills from the Senate agreed to.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act to alter and amend an act, passed 3d December, 1813, for the regulation and government of the town and common of Brunswick and Frederica, in the county of Glynn—Mr. Hudspeth in the chair—Mr. President resumed the chair, and Mr. Hudspeth reported that they had gone through the bill without an amendment.

Whereupon the said bill was read the third time and passed.

Mr. Dooly from the committee reported a bill to be entitled an act, to consolidate the funds of this state and establish a bank thereon, which was received and read the first time.

Mr. Byrd, gives notice that he will on to-morrow move for leave to introduce a bill to repeal that part of the third section of an act, which relates to Clerks and Sheriffs, to authorize the Inferior court of Bryan county to levy a county tax, &c. passed 4th December, 1805.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to separate and divorce John Womack and Mary his wife—Mr. Clark in the chair—Mr. President resumed the chair, and Mr. Clark reported that they had gone through the same without amendments.

Whereupon the said bill was read the third time, and on the question shall this bill now pass? it was determined in the negative, and the yeas and nays being required are yeas 22—nays 11.

Those who voted in the affirmative are Messrs. Blair, Brown, Butler, Clark, Cuthbert, Daniel, Dooly, Fannin, Flournoy, Freeman, Fulwood, Greer, Hardin, Hudson, Irwin, Lane, Newsom, Piles, Swain, Talbot, Williams and Wood.

Those who voted in the negative are Messrs. Byne, Byrd, Cook, Gaines, Hatcher, Hawthorn, Hudspeth

Little, Montgomery, Nesbit and Scruggs.

The President of Senate having voted in the negative, the bill was constitutionally lost.

Adjourned 'till 10 o'clock to-morrow morning.

### WEDNESDAY, 9th November, 1814.

On motion of Mr. Hardin,

The minutes of yesterday were reconsidered so far as relates to the bill to divorce John Womack and Mary his wife—and

Ordered that said bill do lie on the table.

The bill to be entitled an act to establish and regulate the inspection of Flour, was taken up and read the second time—and

Ordered for a committee of the whole.

A message from his Excellency the Governor by Mr. Porter, his Secretary.

*Mr. President,*

I am directed by his Excellency the Governor, to return to the Senate an act, which he has assented to and signed, entitled an act, to secure to John M'Kinnie and Henry Shultz their heirs and assigns the exclusive right to a bridge across Savannah river at or near Augusta; and I am also directed to lay before the Senate a communication—and he withdrew.

Ordered that the communication after being read be referred to the committee on Finance.

The bill to be entitled an act, to authorise the raising of a corps of troops for the service of the state of Georgia during the war, between the United States and Great Britain, was taken up and read the second time—and

Ordered for a committee of the whole.

The bill to be entitled an act, to consolidate the funds of this state and establish a bank thereon, was read the second time—and

Ordered for a committee of the whole.

A bill to be entitled an act, to authorise the Justices of the Inferior court of Pulaski county, with the Clerk of the Superior court and Sheriff of said county, to draw Grand and Petit Jurors, was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to amend an act, supplementary to the judiciary system—Mr. Talbot in the chair—Mr. President resumed the chair, and Mr. Talbot reported that they had gone through the bill without amendment.

Ordered that the report do lie on the table.

The bill to be entitled an act, to divorce Polly Martin, formerly Polly Jenkins, and Joseph John Martin her husband, was taken up and read the second time—and

Ordered for a committee of the whole.

A message from the House of Representatives by Mr. Clayton their Clerk.

*Mr. President,*

The House of Representatives have passed a bill to be entitled an act, to encourage and improve mode of transporting merchandize upon the waters of the state of Georgia—and he withdrew.

The Senate took up the message, and the said bill was read the first time.

Mr. Lane from the committee of enrolled bills, reported as duly enrolled and signed by the Speaker of the House of Representatives, two acts which were presented to, and signed by the President of Senate.

Ordered that the committee of enrolment do carry said acts to his Excellency the Governor, for his revision.

The following resolutions were taken up, read and agreed to, viz :

Resolved by the Senate and House of Representatives of the state of Georgia, in General Assembly met, that our Senators in Congress be instructed, and our Representatives be requested to use their best endeavors to prevail upon Congress, to propose to the several states for their adoption, an amendment to the Constitution of the United States, to reduce the term of service of the Senators in Congress from six to four years.

Resolved, that his Excellency the Governor, be requested to transmit copies of the foregoing resolution to the Executives of the different states, with a request that they be laid before the Legislatures of the several states; and also one copy to each member of the House of Representatives from this state, in the Congress of the United States.

Mr. Byrd agreeably to notice reported a bill to be entitled an act, to repeal that part of the third section of an act which relates to the Clerks and Sheriffs, and to levy a county tax, and to authorise the Inferior court to collect the monies arising from the rents of the Glebe land in the county of Bryan, &c. was read the first time.

Mr. Lane presented a petition from Thomas Wells, which was read and referred to the committee on petitions.

Mr. Freeman presented a petition from Lemuel Vickers, which was read and referred to a special committee—consisting of Messrs. Freeman, Lane and Daniel.

Adjourned 'till to-morrow morning 10 o'clock.

### THURSDAY, 10th November, 1814.

The Senate took up the report of the committee of the whole, on the bill to alter and amend an act to organize the detachments of men which may hereafter be required by the President of the United States, from the Executive of this state, for the service of the Union, and for other purposes therein expressed, passed 6th day of December, 1814.

Whereupon the first section of said bill being read as

amended in committee of the whole, in the words following, to wit :

Be it enacted by the Senate and House of Representatives of the state of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, that when any detachment or detachments of militia from this state, may be hereafter called out in the service of the United States, or of this state. The officers to command such detachment or detachments shall be appointed in the following manner, viz :

The Major Generals and Brigadier Generals shall be appointed by the Governor ; which in all cases shall be done by taking from the Generals in commission, according to rank or seniority of commission, in rotation, and the field and company officers in like manner ; and on the question to agree to the same, it was determined in the affirmative, and the yeas and nays being required are yeas 22—nays 13.

Those who voted in the affirmative, are Messrs. Blair, Brown, Byne, Clark, Dooly, Fannin, Flournoy, Foster, Fulwood, Hardin, Hawthorn, Hudspeth, Irwin, Newsom, Nesbit, Piles, Scruggs, Swain, Talbot, Walker, Williams and Wood.

Those who voted in the negative are Messrs. Butler, Byrd, Cook, Cuthbert, Daniel, Freeman, Gaines, Greer, Hatcher, Hudson, Lane, Little and Montgomery.

Mr. Daniel then moved the following amendment, to wit :

And be it further enacted, that when any person who have, or hereafter may be classed, shall thereafter be promoted to the rank of a commissioned officer, such person shall not be then liable to perform the duty required of him in the ranks, during the time he shall continue in commission ; but in case he should resign, such person shall return into the ranks and class to which he formerly belonged.

The report was then read and agreed to, with amendments, and the bill read the third time ; and on the question shall this bill now pass ? it was determined in the affirmative, and the yeas and nays being required, are yeas 18—nays 16.

Those who voted in the affirmative are Messrs. Blair, Brown, Byne, Clark, Dooly, Fannin, Flournoy, Foster, Fulwood, Hardin, Hawthorn, Hudspeth, Irwin, Nesbit, Talbot, Walker, Williams and Wood.

Those who voted in the negative are Messrs. Butler, Byrd, Cook, Cuthbert, Daniel, Freeman, Gaines, Greer, Hatcher, Hudson, Little, Montgomery, Newsom, Piles, Scruggs and Swain.

A message from the House of Representatives by Mr. Clayton their Clerk.

*Mr. President,*

The House of Representatives have agreed to the report of the committee of Finance, on the Governor's last communication.

They have passed the bill to be entitled an act, supplementary to, and amendatory of an act, entitled an act,

to amend an act, to authorize the fortunate drawers in the late Land Lotteries in this state, to take out their grants until the 10th November, 1814, and after that day to authorize any citizen of this state to take out grants in said Lotteries, and for other purposes therein mentioned, passed 5th November, 1814.

They have passed the following bills.

A bill to be entitled an act, to alter and amend the third section of an act, for regulating Taverns, and reducing the rates of tavern licenses, passed the 24th December, 1791.

A bill to be entitled an act, to amend an act, entitled an act, to establish the fees of Harbour Master and Health Officer of the ports of Savannah and St. Mary's.

A bill to be entitled an act, to create the office of Pay Master General for the state, and point out the mode of his election—and

A bill to be entitled an act, to authorise the collection of rent within the city of Augusta, and the precincts thereof—and he withdrew.

The Senate took up the message, and the said several bills were read the first time.

Ordered that the report of the committee on Finance do lie on the table.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to authorise the raising a corps of troops for the service of the state of Georgia, during the war, between the United States and Great Britain—Mr. Irwin in the chair—Mr. President resumed the chair, and Mr. Irwin reported that they had gone through the bill without amendment.

Ordered that the report do lie on the table.

The Senate resolved itself into a committee of the whole, on the bill to amend an act, supplementary to the judiciary system, passed on the 15th day of December, 1809—Mr. Foster in the chair—Mr. President resumed the chair, and Mr. Foster reported that they had gone thro' the same with an amendment.

Ordered, that the report do lie on the table.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to establish and regulate the inspection of Flour—Mr. Cook in the chair—Mr. President resumed the chair, and Mr. Cook reported that they had gone through the same with amendments.

Ordered, that the report do lie on the table.

Mr. Lane from the committee on enrolled bills reported as duly enrolled and signed by the Speaker of the House of Representatives, an act, amendatory of an act, to authorise the fortunate drawers in the late Land Lotteries in this state, to take out their grants, &c. which was presented to, and signed by the President of Senate.

Ordered, that the committee on enrolled bills do carry said acts to his Excellency the Governor for his revision.



Mr. Foster presented a communication from the commissioners of the Penitentiary Edifice, enclosing a statement of disbursements which was read and referred to the committee on Finance.

Mr. Walker presented a petition from Johnson and Kunze, which was read and referred to the committee on Finance.

Mr. Newsom gave notice that he will on to-morrow ask leave to report a bill to be entitled an act, to repeal a part of the fifth section of an act, entitled an act, to alter and amend the several judiciary acts now in force in this state, so far as relates to Justices courts, passed at Milledgeville the 14th December, 1811.

Mr. Hudspeth from the committee on Finance, reported on the petition of William Walker, which was received and ordered to lie on the table.

The bill to be entitled an act, to encourage an improved mode of transporting merchandize upon the waters of the state of Georgia, was taken up and read the second time.

Ordered for committee of the whole.

Mr. Foster notified the Senate that he will ask leave to-morrow to report a bill to be entitled an act, to authorise the Justices of the Inferior court of Columbia county to have transcribed the records of the register of probates of Columbia county in a bound book, or books and established as the records of the same.

Mr. Butler had leave of absence until Monday morning next.

Adjourned 'till 9 o'clock to-morrow morning.

### FRIDAY, 11th November, 1814.

Ordered, that Messrs. Hudson and Little be added to the committee on the petition of a number of the inhabitants of Oglethorpe county.

The bill to be entitled an act, to divorce and separate John Womack and Mary his wife, was taken up, and on the question shall this bill now pass? it was determined in the affirmative, and the yeas and nays being required are yeas 23—nays 9.

Those who voted in the affirmative are Messrs. Blair, Brown, Butler, Cuthbert, Daniel, Dooly, Fannin, Flournoy, Freeman, Fulwood, Greer, Hardin, Hawthorn, Hudson, Irwin, Lane, Newsom, Piles, Swain, Talbot, Walker, Williams and Wood.

Those who voted in the negative are Messrs. Byrd, Cook, Foster, Hatcher, Hudspeth, Little, Montgomery, Nesbit and Scruggs.

The bill to be entitled an act, to divorce Elizabeth O'Reily and John O'Reily her husband, and to secure certain property to the said Elizabeth, her heirs and assigns; and to divorce Rachael Jones and Robert Jones her husband, was taken up, and on the question shall this bill now pass? it was determined in the affirmative, and the yeas and nays being required are yeas 22—nays 10.

Those who voted in the affirmative are Messrs. Blair, Brown, Butler, Cuthbert, Dooly, Fannin, Flournoy, Freeman, Fulwood, Greer, Hardin, Hawthorn, Irwin, Lane, Montgomery, Newsom, Piles, Swain, Talbot, Walker, Williams and Wood.

Those in the negative are Messrs. Byrd, Cook, Daniel, Foster, Hatcher, Hudson, Hudspeth, Little, Nesbit and Scruggs.

The Senate took up the report of the committee on Finance from the House of Representatives, on the Governor's message of the 9th instant, and the same being read was concurred in.

They also took up the resolution laid on the table by Mr. Spalding on the day of requesting the Governor to pay and settle the amount of the direct tax due the General Government, and the same being read was agreed to.

The following acts were taken up and read the second time, viz:

The bill to be entitled an act, to repeal that part of the third section of an act, entitled an act, to authorise the Justices of the Inferior court in the county of Bryan to levy a county tax not exceeding one third of the General tax, and to authorise the said court to collect the monies arising from the rents of the Glebe land in said county, and to appropriate the same to the defraying county purposes, passed the 4th day of December, in the year 1805.

Ordered for a third reading.

The bill to be entitled an act, to alter and amend the third section of an act, entitled an act, for regulating tavern licenses, and reducing the rates of tavern licenses, passed the 24th December, 1791—and

Ordered for committee of the whole.

The bill to be entitled an act, to authorise the collection of rent within the city of Augusta and the precincts thereof.

Ordered for a third reading.

The bill to be entitled an act, to amend an act, entitled an act, to establish the fees of the Harbor Master and Health officer, of the ports of Savannah and St. Mary's.

Ordered for a committee of the whole—and

The bill to be entitled an act, to create the office of Pay-Master General of this state, and point out the mode of his election.

Ordered for a committee of the whole.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to divorce Polly Martin, formerly Polly Jenkins and Joseph John Martin her husband—Mr. Freeman in the chair—Mr. President resumed the chair, and Mr. Freeman reported that they had gone thro' the bill without any amendment.

Whereupon the said bill was read the third time, and on the question shall this bill now pass? it was determined in the negative, and the yeas and nays being required are yeas 20—nays 11.

Those who voted in the affirmative are Messrs Blair, Brown, Butler, Cuthbert, Fannin, Flournoy, Freeman, Fulwood, Greer, Hardin, Hawthorn, Irwin, Lane, Newsom, Swain, Talbot, Walker, Williams and Wood.

Those in the negative are Messrs. Byrd, Cook, Daniel, Dooly, Foster, Hatcher, Hudson, Hudspeth, Little, Montgomery and Scruggs.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to consolidate the funds of this state, and establish a bank thereon—Mr. Newsom in the chair—Mr. President resumed the chair, and Mr. Newsom reported that the committee rise and report the further consideration of this bill, be postponed until the first Monday in June next.

The Senate took up the report, and on the question to agree to the same, it was determined in the affirmative, and the yeas and nays being required are yeas 18—nays 14.

Those in the affirmative are Messrs. Brown, Cook, Cuthbert, Daniel, Fannin, Flournoy, Freeman, Gaines, Greer, Hatcher, Hudson, Hudspeth, Little, Montgomery, Nesbit, Scruggs, Talbot and Walker.

Those in the negative are Messrs. Blair, Butler, Byrd, Clark, Dooly, Fulwood, Hardin, Hawthorn, Irwin, Lane, Newsom, Swain, Williams and Wood.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to encourage an improved mode of transporting merchandize upon the waters of the state of Georgia—Mr. Talbot in the chair—Mr. President resumed the chair, and Mr. Talbot reported, that they had gone thro' the same with an amendment.

The Senate took up the report which was read and agreed to.

Whereupon the said bill was read the third time, and on the question shall this bill now pass? it was determined in the affirmative, and the yeas and nays being required are yeas 24—nays 10.

Those in the affirmative are Messrs. Butler, Byrd, Clark, Cuthbert, Dooly, Flournoy, Freeman, Fulwood, Gaines, Hardin, Hatcher, Hawthorn, Hudson, Irwin, Nesbit, Piles, Scruggs, Swain, Talbot, Walker, Williams and Wood.

Those in the negative are Messrs. Cook, Daniel, Fannin, Foster, Greer, Hudspeth, Lane, Little, Montgomery and Newsom.

The Senate took up the report of the committee of the whole, on the bill to be entitled an act, to establish and regulate the inspection of Flour—and

On motion,

*Resolved.* That the further consideration of this bill be postponed to the first Monday in June next, and on the question to disagree to the report, it was determined in the affirmative, and the yeas and nays being required are yeas 18—16.

Those in the affirmative are Messrs. Butler, Cook,

Dooly, Fannin, Foster, Greer, Hardin, Hatcher, Hawthorn, Hudson, Hudspeth, Lane, Little, Nesbit, Newsom, Piles, Swain and Wood.

Those in the negative are Messrs. Blair, Brown, Byrd, Clark, Cuthbert, Daniel, Flournoy, Freeman, Fulwood, Gaines, Irwin, Montgomery, Scruggs, Talbot, Walker and Williams.

A message from the House of Representatives by Mr. Clayton their Clerk.

*Mr. President,*

The House of Representatives have concurred in the resolution appointing Harris Allen and Alexander Greene Vendue Masters for the town of Milledgeville.

They have agreed to the amendments made by Senate to the bill for the relief of Richard and Charles Kennon.

They have passed the following bills from Senate without any amendment.

A bill to explain certain parts of an act, to quiet and confirm the titles of persons who have purchased lots from and under the commissioners of the town or academy of Waynesboro' in the county of Burke, and for other purposes.

A bill to authorise the collection of an extra tax for the purpose of rebuilding a court-house and jail in Glynn county—and

A bill to make permanent the scite of the public buildings in the county of Emanuel, and for other purposes.

They disagree to the amendments made by Senate to the bill to be entitled an act, to repeal a part of the 10th section of an act, passed 27th of January, 1785, except as to the caption.

They have passed the following bills.

A bill to be entitled an act, to create the office of Division Inspector, Division Quarter Master, Brigade Quarter Master and Aid de Camp to Brigadier Generals, agreeably to an act of Congress passed the 18th April, 1814.

A bill to be entitled an act, to amend an act, to make permanent the scite of the public buildings of Telfair county—and

They have concurred in the resolution on the petition of Joseph B. Jones—and he withdrew.

The Senate took up the message and the bills were severally read the first time, and on the question to recede from their amendment made to the bill to be entitled an act, to repeal a part of the 10th section of an act, passed 27th of January, 1785, in the words following, viz: no person or persons after having been hereof re, or who may be hereafter classed or become liable to perform militia duty in any one of the classes of the militia companies of this state or belonging to any one of the volunteer companies in this state, and shall be called on to perform his tour in the service of the United States, shall avail himself of the provisions of the

before recited act, but in all cases shall be compelled to perform his tour of service when called on, or find a substitute, notwithstanding he or they may have entered and become a student in the University of this state, or any of the public schools in this state; it was resolved in the affirmative and the yeas and nays being, required are yeas 18—nays 13.

Those who voted in the affirmative are Messrs. Blair, Byrd, Cook, Daniel, Fannin, Foster, Freeman, Greer, Hudson, Hatcher, Hawthorn, Hardin, Little, Newsom, Swain, Talbot, Williams and Wood.

Those who voted in the negative are Messrs. Brown, Byne, Clark, Cuthbert, Dooly, Flournoy, Fulwood, Gaines, Hudspeth, Irwin, Montgomery, Scruggs and Walker.

The bill to be entitled an act, to amend an act, supplementary to the judiciary system of this state, passed on the 15th day of December, 1809, was taken up and read the third time and passed.

A message from his Excellency the Governor, by Mr. Porter his Secretary.

*Mr. President,*

I am directed by his Excellency the Governor to return to the Senate two acts which he has assented to and signed; the titles of which are as follows—

An act adding a part of Tatnall county to Montgomery county, and for other purposes—and

An act supplementary to and amendatory of an act, entitled an act, to amend an act, to authorise the fortunate drawers in the late Land Lotteries in this state, to take out their grants until the 10th day of November, 1814, and after that day to authorise any citizen of this state to take out grants in said Lotteries, and for other purposes therein mentioned, passed the 5th day of November, 1814.

I am likewise directed by him to return to the Senate the bill entitled an act, to continue in force an act, supplementary to and amendatory of an act, to alleviate the condition of debtors, passed the 6th day of December, 1813, which he has dissented to, for the reasons stated in a communication to the Senate on that subject herewith presented—and he withdrew.

The Senate took up the message, and ordered that the two first acts, be, by the committee of enrolment carried to the Secretary of States' office and see the big seal be affixed to them, respectively, and the following communication being read, viz:

*Executive Department, Georgia,  
Milledgeville, 11th November, 1814.*

#### TO THE SENATE.

I have received and attentively considered the bill which has passed the two Houses of the General Assembly, entitled an act, to continue in force an act, supplementary to and amendatory of an act, to alleviate the condition of debtors, passed the sixth day of December 1813. The result of this consideration is, that I feel

compelled by a sense of duty which cannot be dispensed with, to return the bill with my dissent. It is due to the Legislature that my reasons should be assigned.

In the first place, it appears that the principle of our alleviating laws is opposed to the constitution; on this question there has been much nice and able reasoning, and men of strong discernment as well as sound judgment have been found to differ. But it is the paramount duty of every public functionary, to act on his own best judgment; he can have no legitimate guide but this, and his conscience. Believing then as I do, that the bill now returned to the Legislature does in principle impair the obligation of contracts, I cannot give to it my assent. Secondly, the principle of our alleviating laws is in my opinion unwise and inexpedient. It is now more than six years since the commencement of this system—during the intervening period, produce and property altho' sometimes low in price, yet at others, have yielded an abundant profit. Debtors in the mean time have made crop after crop; those who were disposed to pay have done so; those otherwise inclined have diverted their income to other objects; whilst interest with a constantly accumulating hand has been adding to their embarrassments. The tendency of this bill is to continue the destructive course. The present customary price of produce though not high is yet sufficient for moderate profit; and although the public burthens are increased by the war, and are likely to become more so, yet the same state of war creates a market for articles of provision to an extent of which no former times afford an example. The quantity of money in circulation so far from being diminished has greatly increased, and must continue to do so. The business of war in its various departments gives employment and profit to thousands who otherwise would have neither. The increased burthens of the war are therefore at least balanced by the increase of the sources of profit.

Contracts between individuals are matters of private right, and no reason of state can justify an interference with them. They are sacred things, and the hand of government can never touch them, without impairing public confidence. The alleviating system is believed to be injurious to the moral principles of the community. It accustoms men to consider their contracts as imposing no moral obligation, and by making *fraud familiar*, destroys the *pride of honesty*: on the ground of expediency also then, I feel compelled to withhold my assent from the bill. These views are respectfully submitted to the Legislature, and the bill herewith returned to the branch in which it originated.

**PETER EARLY, Governor.**

Ordered, that the same do lie on the table.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to create the office of Pay-Master General for the state, and point out the mode of his election—Mr. Nesbit in the chair—Mr. President resumed the chair, and Mr. Nesbit reported



that they had gone through the bill, and made an amendment.

The Senate took up the report which was read and agreed to.

The rule being dispensed with, Mr. Byne had leave to introduce a bill to be entitled an act, to authorise the Inferior court of the county of Burke, to sell the Glebe land of said county, and for other purposes, which was read the first time.

Mr. Newsom agreeably to notice introduced a bill to be entitled an act, to repeal so much of the 5th section of an act, entitled an act, to alter and amend the several judiciary acts now in force in this state, so far as relates to Justices courts, as requires persons claiming property under execution not a party to such execution to take an oath, which was read the first time.

Mr. Foster agreeably to notice introduced a bill to be entitled an act, to make valid a transcribed copy of the records of the register of Probates of Columbia county, and to confirm the same in courts of record, which was read the first time.

Adjourned 'till 10 o'clock to-morrow morning.

### **SATURDAY, 12th November, 1814.**

The minutes of yesterday were reconsidered so far as respects the bill to regulate the inspection of Flour—and

Ordered, that said bill do lie on the table.

A message from his Excellency the Governor, by his Secretary, Mr. Porter.

*Mr. President,*

I am directed by his Excellency the Governor, to lay before Senate a communication accompanied by documents—and he withdrew.

The Senate took up the message—and

Ordered, that the communication with document of Warrants drawn on the Treasury, for the political year, 1814, be referred to the committee of Finance.

That document containing a report from A. M. Allen, be referred to the committee on Finance—and

That document containing the proceedings of the Board of Directors of the Augusta Bank, be referred to the committee on the State of the Republic.

The Senate proceeded to the reading the bills in order, viz :

The bill to be entitled an act, to make valid a transcribed copy of the records of the register of Probates of Columbia county and to confirm the same in courts of record, was read the second time—and

Ordered for a third reading.

The bill to be entitled an act, to create the office of Division Inspector, Division Quarter Master, Brigade Quarter Master, and Aid de Camp to Brigadier Generals, was taken up and read the second time—and

Ordered for committee of the whole.

The bill to be entitled an act, to amend an act, to make permanent the site of the public buildings of Telfair

county, was read the second time—and

Ordered for committee of the whole.

The bill to be entitled an act, to authorise the Inferior court of the county of Burke to sell the Glebe land of the said county, and for other purposes, was taken up and read the second time—and

Ordered for a third reading.

The bill to be entitled an act, to repeal so much of the 5th section of an act, entitled an act, to alter and amend the several judiciary acts now in force in this state; as relates to Justices courts, as requiring persons claiming property under execution not a party to such execution to take an oath, was taken up and read the second time—and

Ordered for committee of the whole.

The bill to be entitled an act, to create the office of Pay-Master General for this state, and point out the mode of his election, was taken up and read the third time and passed.

The bill to be entitled an act, to repeal part of the third section as relates to the Clerks and Sheriffs, entitled an act, to authorise the Justices of the Inferior court in the county of Bryan to levy a county tax, and to authorise the said court to collect the money arising from the rents of the Glebe land in said county, and to appropriate the same to the defraying county purposes, passed the 4th day of December, 1805, was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to alter and amend the third section of an act, entitled an act, for regulating taverns, and reducing the rates of tavern licences passed the 24th December, 1791—Mr. Byne in the chair—Mr. President resumed the chair, and Mr. Byne reported progress and had leave to sit again.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to amend an act, entitled an act, to establish the fees of the Harbor Master and Health officer of the ports of Savannah and St. Mary's—Mr. Cook in the chair—Mr. President resumed the chair, and Mr. Cook reported that they had gone through the bill without any amendment.

Ordered, that the report do lie on the table.

The bill to be entitled an act, to authorise the collection of rent within the city of Augusta, and the precincts thereof, was taken up, amended, read the third time and passed.

The rule being dispensed with, Mr. Walker introduced a bill to be entitled an act, to prevent encroachments on the streets and highways in the city of Augusta, and to remove such as now exist, which was read the first time.

A message from the House of Representatives by Mr. Clayton their Clerk.

*Mr. President,*

The House of Representatives have passed a bill to be entitled an act, to authorise John Troutman to build

dam across Fishing creek, and join the same to the town common of Milledgeville, and to build his mill on the said town common.

The bill to be entitled an act, to divorce and separate John M. Jamison and Polly his wife, and Edmund Harris and Ann his wife, and a bill to separate and divorce William Chaaviv and Ann his wife.

They still adhere to their amendment made to the bill to be entitled an act, to amend an act, entitled an act, to regulate attachments—and he withdrew.

The Senate took up the message and the said bills were severally read the first time.

*Resolved*, That the Senate do still disagree to the amendment made by the House of Representatives to the bill to regulate attachments, and have appointed a committee of conference.

Ordered, that Messrs. Walker, Daniel and Montgomery be the committee of conference on the part of Senate.

Mr. Freeman presented a petition from John Pitts which being read was referred to a special committee.

Ordered, that Messrs. Freeman, Cook and Nesbit be that committee.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to create the office of Division Inspector, Division Quarter Master, Brigade Quarter Master, and Aid de Camp to Brigadier Generals—Mr. Irwin in the chair—Mr. President resumed the chair, and Mr. Irwin reported that they had gone through the bill without any amendment.

The Senate took up the report, and on the question to agree to the same, it was determined in the affirmative and the yeas and nays being required are yeas 18—nays 13.

Those in the affirmative, are Messrs. Blair, Brown, Byne, Byrd, Clark, Cuthbert, Daniel, Fannin, Flournoy, Freeman, Gaines, Hardin, Hawthorn, Hudson, Irwin, Talbot, Walker and Williams.

Those in the negative, are Messrs. Cook, Fulwood, Greer, Hatcher, Hudspeth, Little, Montgomery, Nesbit, Newsom, Piles, Scruggs, Swain and Wood.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to repeal so much of the 5th section of an act, entitled an act, to alter and amend the several judiciary acts now in force in this state, so far as relates to Justices courts, as requires persons claiming property under execution, not a party to such execution, to take an oath—Mr. Hudspeth in the chair—Mr. President resumed the chair, and Mr. Hudspeth reported that they had gone through the bill with an amendment.

The Senate took up the report and the amendments were agreed to.

Adjourned till 10 o'clock Monday morning.

MONDAY, 14th November, 1814.

Mr. Freeman from the committee on enrolment re-

ported as duly enrolled and signed by the Speaker, the following acts, to wit :

An act to authorise the commissioners of the town of Brunswick and Frederica, to collect an extra tax for the purpose therein mentioned.

An act to move the scite of the public buildings in the county of Bryan, and for other purposes.

An act to make permanent the scite of the public buildings in the county of Emanuel, and for other purposes.

An act for the relief of the heirs, &c. of John Kennon—and

An act to alter and amend an act, for the regulation and government of the towns and commons of Brunswick and Frederica in the county of Glynn.

Ordered, that the committee of enrolment do carry said acts to his Excellency the Governor for his revision.

The bill to be entitled an act, to make valid a transcribed copy of the records of the Register of Probates of Columbia county and to confirm the same in courts of record, was taken up and read the third time and passed.

The bill to be entitled an act, to authorise the Inferior court of the county of Burke, to sell the Glebe land of the said county, and for other purposes, was read the third time and passed.

The bill to be entitled an act, to create the office of Division Inspector, Division Quarter Master, Brigade Quarter Master, and Aid de Camp to Brigadier Generals, was taken up and read the third time ; on the question shall this bill now pass ? it was determined in the affirmative, and the yeas and nays being required are yeas 19—nays 15.

Those in the affirmative are Messrs. Blair, Brown, Byne, Byrd, Clark, Cuthbert, Daniel, Fannin, Flournoy, Freeman, Gaines, Hardin, Hudson, Hawthorn, Irwin, Talbot, Walker and Williams.

Those who voted in the negative, are Messrs. Cook, Dooly, Foster, Fulwood, Greer, Hatcher, Hudspeth, Little, Montgomery, Nesbitt, Newsom, Piles, Scruggs, Swain and Wood.

The bill to be entitled an act, to repeal so much of the fifth section of an act, entitled an act, to alter and amend the several judiciary acts now in force in this state, so far as relates to Justices courts, as requires persons claiming property under execution, and not a party to such execution, to take an oath, was taken up and passed.

The bill to be entitled an act, to authorise John Troutman to build a dam across Fishing creek, and join the same to the town common of Milledgeville and to build his mill on the said town common, was taken up and read the second time.

Ordered, that the said bill stand for committee of the whole in June next.

The bill to be entitled an act, to prevent encroachments on the streets and high-ways in the city of Augusta, and to remove such as now exist, was read the se-

second time—and

Ordered for committee of the whole.

The bill to be entitled an act, to divorce and separate John M. Jamison and Polly his wife, and Edward Harris and Ann his wife, was read the second time—and

Ordered for committee of the whole.

The bill to be entitled an act, to separate and divorce William Chauvin and Ann his wife, was read the second time—and

Ordered for committee of the whole.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to make permanent the public buildings in Telfair county—Mr. Freeman in the chair—Mr. President resumed the chair, and Mr. Freeman reported that they had gone through the same without any amendment.

Whereupon the said bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to alter and amend an act, entitled an act, for regulating taverns and reducing the rates of tavern licences, passed 24th December, 1791—Mr. Foster in the chair—Mr. President resumed the chair, and Mr. Foster reported that the further consideration of this bill be postponed until the first Monday in June next.

The Senate took up the report, which was agreed to.

The Senate took up the report of the committee of the whole, on the bill to be entitled an act, to amend an act, to establish the fees of the Harbor Master and Health officer of the ports of Savannah and St. Mary's—and

On motion of Mr. Walker,

That the bill be amended by striking out "passing of this act," and insert "expiration of the term for which the present incumbents have been elected"; and on the question to agree to the amendment, it was determined in the affirmative, and the yeas and nays being required are yeas 19—nays 14.

Those who voted in the affirmative are Messrs. Byne, Byrd, Dooly, Fannin, Flournoy, Foster, Freeman, Fulwood, Gaines, Greer, Hardin, Hawthorn, Hudson, Irwin, Scruggs, Talbot, Walker, Williams and Wood.

Those who voted in the negative are Messrs. Brown, Blair, Clark, Cook, Cuthbert, Daniel, Hatcher, Hudspeth, Little, Montgomery, Nesbit, Newsom, Piles and Swain.

Whereupon the said bill was read the third time and passed as amended.

A message from the House of Representatives by Mr. Clayton their Clerk.

*Mr. President,*

The House of Representatives have passed a resolution in favor of the Tax Collector for the county of Twiggs.

A resolution appointing Job Weston a Notary Public for the county of Elbert and village of Elberton.

A resolution appointing Charles Dewitt, Jun. Vendue Master for the town of Darien, in addition to those already appointed—and

A resolution requesting the Governor to remove intruders off the Indian lands.

They have passed a bill to be entitled an act, to authorise the several courts of Equity in this state, to grant remedies in certain cases.

And have made an amendment to the resolution on the petition of Abraham Borland—and he withdrew.

The Senate took up the message and concurred in the several resolutions therein contained, and agreed to the amendment on the petition of Abraham Borland, and the said bill was read the first time.

Mr. Dooly had leave to introduce, instantler, a bill to alter the time of holding courts in Lincoln county, which was read the first time.

Mr. Piles from the committee on petitions, reported, viz :

The committee to whom was referred the petition of Richard Moore, have had the same under consideration, and after mature deliberation beg leave to report that they conceive the same to be unreasonable and ought not to be granted, which being read was agreed to.

On the petition of Jarvis Jackson, guardian, of the orphans of John Olliff, praying Legislative interference in his behalf, so far as respects a lot of land drawn in the name of said orphans in the 24th district of Wilkinson, now Pulaski county, so as to enable him the said guardian to make sale of said land; that a just distribution among said orphans may be had, as some of said orphans are now of full age and wish such a distribution, beg leave to report that they have had the same under their consideration, and are of opinion that the laws now in force, sufficiently provide for all such cases, and that Legislative interference in the present case is unnecessary, which being read was agreed to.

Mr. Daniel laid on the table the following resolution.

*Resolved,* That it is the sense of the Senate, that in this eventful crisis, when we are involved in war, it would be expedient for the Legislature to permit the law to be in full force for the collection of debts, when a great proportion of our citizens are now called to the field to defend their country's rights; and that they ought not to be subjected to the discretion of an unrelenting creditor to sacrifice their property or run them to unnecessary cost; and that provision ought to be made by law for the protection of their property, whilst in the service of their country; and whereas a bill has passed both houses of the present session, entitled an act to continue in force an act, entitled an act, supplementary to, and amendatory of an act, to alleviate the condition of debtors, passed the 6th December, 1813, which the Governor has refused his assent, and returned the same to this branch of the Legislature, together with his reasons for his dissent; and whereas it is the

sense of the Senate that the objections stated by the Governor are unfounded—That the act is authorised by the constitution, and that good policy requires the passage of the said act, admits of no doubt; and that the said act ought to pass and become a law of this state, in terms of the 10th section of the 2d article of the constitution.

Adjourned 'till to-morrow morning 10 o'clock.

## TUESDAY, 15th November, 1814.

Mr. Freeman moved to reconsider the minutes of yesterday so far as relates to the bill to authorise John Troutman to build a dam across Fishing creek and join the same to the town common, and on the question to agree, it was determined in the negative.

Mr. Lane from the committee on enrolled bills reported as duly enrolled and signed by the Speaker, the following acts, viz :

An act to create the office of Paymaster General for this state, and point out the mode of his election.

An act to explain the 10th section of an act, entitled an act for the more full and complete establishment of a public seat of learning in this state, passed the 27th day of January, 1795—and.

An act to divorce and separate John Womack and Mary his wife.

A message from the House of Representatives by Mr. Clayton their Clerk.

*Mr. President,*

The House of Representatives have concurred in the resolution requiring the members of Congress to recommend an amendment to the constitution of the United States, reducing the term of service of the Senators in Congress.

They have agreed to a committee of conference on the bill to be entitled an act, to amend an act, entitled an act, to regulate attachments, and have appointed a committee of conference on their part.

They have agreed to the amendments made by Senate, to the bill to encourage an improved mode of transporting merchandize on the waters of the state of Georgia.

And in the amendments to the bill to be entitled an act, to create the office of Pay Master General of this state.

They have passed a resolution appointing James E. Morris, John J. Bullock and Isaac Russell Notaries Public for the county of Chatham.

They have passed the following bills.

A bill to be entitled an act, authorising Capt. Thomas H. Miller of Camden county to establish a ferry across the north river.

A bill to be entitled an act, to divorce Alexander Pluellen and Keziah his wife—and he with drew.

The Senate took up the message and concurred in

the resolution appointing Notaries Public for the county of Chatham, and the bills were read the first time.

The bill to alter the time of holding the Superior courts of Lincoln county, was taken up and read the second time.

Ordered for a committee of the whole.

The bill to be entitled an act, to authorise the several courts of Equity in this state, to grant remedies in certain cases.

Ordered for a committee of the whole.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to separate and divorce William Chauvin and Ann his wife—Mr. Newsom in the chair—Mr. President resumed the chair, and Mr. Newsom reported that they had gone through the same without any amendment.

Whereupon the said bill was read the third time, and on the question shall this bill now pass? it was determined in the negative, and the yeas and nays being required are yeas 19—nays 14.

Those who voted in the affirmative are Messrs. Blair, Brown, Butler, Clark, Fannin, Flournoy, Freeman, Fulwood, Greer, Hardin, Irwin, Lane, Newsom, Piles, Swain, Talbot, Walker, Williams and Wood.

Those in the negative are Messrs. Byrd, Cook, Cuthbert, Daniel, Dooly, Foster, Hatcher, Hawthorn, Hudson, Hudspeth, Little, Montgomery, Nesbit and Scruggs.

There not being a constitutional majority the bill was lost.

The Senate resolved itself into a committee of the whole, on the bill to separate and divorce John M. Jamison and Polly his wife, and Edward Harris and Ann his wife—Mr. Dooly in the chair—Mr. President resumed the chair, and Mr. Dooly reported no amendment, which was read and agreed to, and the bill ordered to lie on the table.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to prevent encroachments on the streets and high-ways in the city of Augusta, and to remove such as now exist—Mr. Daniel in the chair—Mr. President resumed the chair, and Mr. Daniel reported that they had gone through the bill with amendments, which were agreed to.

Whereupon the said bill was read the third time and passed.

On motion of Mr. Cook,

Whereas Mordecai Shackleford Tax Collector of Clark county, was by the expedition conducted by General Floyd, and affliction since, prevented from closing his collection in time to lay the insolvent list before the Grand Jury of last term :

Be it therefore resolved by the Senate and House of Representatives of the state of Georgia, in General Assembly met, and by the authority of the same, that the Treasurer do stay all proceedings against the said Mordecai Shackleford until the 10th day of April next.

The bill to be entitled an act, to establish and regulate the inspection of Flour was taken up, and on the question said this bill now pass it was determined in the negative, and the yeas and nays being required, are yeas 16—nays 18.

Those who voted in the affirmative are Messrs. Blair, Brown, Byrd, Clark, Cuthbert, Flournoy, Freeman, Fulwood, Gaines, Hardin, Irwin, Montgomery, Scruggs, Talbot, Walker and Williams.

Those who voted in the negative are Messrs. Butler, Cook, Daniel, Dooly, Fannin, Foster, Greer, Hatcher, Hawthorn, Hudson, Hudspeth, Lane, Little, Nesbit, Newsom, Piles, Swain and Wood.

On motion of Mr. Hatcher,

*Resolved*, That the General Assembly will adjourn on Saturday next, *sine die*.

Ordered to lie on the table.

A message from the House of Representatives by Mr. Clayton their Clerk.

*Mr. President,*

The House of Representatives have passed a resolution that the General Assembly will on Wednesday next, at 12 o'clock proceed to the election of a Pay Master General and two Directors on the part of the state for the Planters' Bank at Savannah.

They have passed a resolution on the petition of Nehemiah Dunn—and

Have passed a bill to raise money for the purpose of opening and improving the navigation of the Oconee river, from the mouth of Fishing creek to Barnett's shoals—and he withdrew.

The Senate took up the message and concurred in the resolution to proceed on Wednesday next, to an election, with an amendment "strike out twelve o'clock" and insert "two"; and the said bill was read the first time.

Ordered, that the residue of the message do lie on the table.

Mr. Freeman from the committee to whom was referred the petition of Lemuel Vickers, reported, which was ordered to lie on the table.

The Senate took up the following resolution—

*Resolved*, That the General Assembly will adjourn on Saturday next, *sine die*, which being read was agreed to.

On motion of Mr. Cook,

*Resolved*, That General Thomas Flournoy be, and he is hereby appointed a trustee of the University of Georgia, in the place of Stephen Upson, Esquire, resigned.

A communication was received and read from the President of the University of this state, reporting the resignation of Stephen Upson, Esq. one of the trustees of said University.

Ordered to lie on the table.

Adjourned 'till 10 o'clock to-morrow morning.

WEDNESDAY, 16th November, 1814.

On motion of Mr. Dooly,

The journal of yesterday was reconsidered so far as respects the bill to divorce John M. Jamison and Polly his wife, and to divorce Edward Harris and Ann his wife.

Ordered that said bill do lie on the table.

On motion of Mr. Walker.

The journal of yesterday was reconsidered so far as respects the bill to regulate the inspection of Flour in the city of Augusta.

Ordered, that said bill do lie on the table.

Mr. Lane laid on the table the following resolution.

Be it resolved by the Senate and House of Representatives of the state of Georgia, in General Assembly met, that whereas suits have been commenced and instituted against Obadiah Echols, Reddick Sims and Francis Flournoy, late defaulting commissioners of this state, on their several bonds, and every legal and proper exertion made to recover thereon failing, and being found impracticable, it is the opinion of this Legislature that any further prosecution of said suits will be unavailing, and would be calculated only to involve the state in additional and unnecessary expence.

Therefore be it resolved, that any further prosecution of the bonds of said Obadiah Echols, Reddick Sims and Francis Flournoy, do cease and be discontinued.

The Senate took up the bill to continue in force an act, supplementary to, and amendatory of an act, to alleviate the condition of debtors, passed the 6th day of December, 1813, which was dissented to by his Excellency the Governor, and on the question shall this bill constitutionally pass? it was determined in the negative, and the yeas and nays being required are yeas 20—nays 15.

Those who voted in the affirmative are Messrs. Blair, Brown, Butler, Cook, Daniel, Dooly, Fannin, Foster, Gaines, Hatcher, Hawthorn, Hudspeth, Irwin, Lane, Little, Montgomery, Newsom, Swain, Williams and Wood.

Those who voted in the negative are Messrs. Byne, Byrd, Clark, Cuthbert, Flournoy, Freeman, Fulwood, Greer, Hardin, Hudson, Nesbit, Piles, Scruggs, Talbot and Walker.

The Senate resolved itself into a committee of the whole, on the bill to alter the time of holding the Superior courts in Lincoln county—Mr. Hudson in the chair—Mr. President resumed the chair, and Mr. Hudson reported that they had gone through the same with amendment.

Ordered, that said report do lie on the table.

The bill to raise money for the purpose of opening and improving the navigation of the Oconee river, from the mouth of Fishing creek, to Barnett's Shoals—and

The bill to divorce Alexander Fluellen and Keziah his wife, were read the second time—and

Ordered for a committee of the whole.

The bill authorising Thomas M. Miller of Camden county to establish a ferry across north river, &c. was read the second time.

Ordered for a third reading.

Mr. Freeman had leave to introduce a bill instantler, to authorise the Inferior court of Baldwin county to levy an extra tax, which was read the first time.

Mr. Freeman from the committee to whom was referred the petition of John Pitts reports the following resolution, which was agreed to, to wit :

Resolved by the Senate and House of Representatives in General Assembly met, that the commissioners of the town of Milledgeville be, and they are hereby authorised to lease to John Pitts twenty acres of land on the common of said town including his brick yard, for the term of seven years, requiring of him a reasonable annual rent therefor.

The Senate took up and concurred in the resolution from the House of Representatives in favor of Nehemiah Dunn.

Mr. Lane from the committee on enrolment reported as duly enroled and signed by the Speaker, the following acts, to wit :

An act to create the office of Division Inspector, Division Quarter Master, Brigade Quarter Master and Aid de Camp to Brigadier Generals, agreeably to an act of Congress.

An act to amend an act, to make permanent the scite of the public buildings in the county of Telfair.

An act to explain certain parts of an act, to quiet and confirm the titles of persons who have purchased lots from and under the commissioners of the town or academy of Waynesboro'—

An act for the relief of James Tarpley—and

An act to encourage an improved mode of transporting Merchandize upon the waters of the state of Georgia.

Ordered that the committee do carry said acts to his Excellency the Governor, for his revision.

Mr. Walker laid on the table the following resolution.

WHEREAS public opinion must essentially influence the conduct of those who are called to the administration of a Republican Government, and in the prosecution of a war, the measures of the administration may be accelerated or retarded by the application of this momentum :

And whereas the recent advices from our ministers plenipotentiary at Ghent, have apprised us of the insolent and insulting pretensions of the cabinet of Britain ; pretensions incompatible with the most essential rights of this government, and which have excited feelings of indignation in every patriotic bosom, against our proud and insolent foe :

And whereas public policy demands that the government of the United States should be encouraged by the expression of these sentiments in the prosecution of a

war, now rendered necessary by the endearing recollection of its being prosecuted in defence of our wives, our children, our sacred honor, and the Independence of our beloved country—

Be it therefore resolved unanimously by the General Assembly of the state of Georgia, that the terms and conditions proposed by the British ministers at Ghent, to the ministers plenipotentiary on the part of the United States, as the *sine qua non*, upon which a treaty of peace may be concluded, are not only incompatible with the essential rights of the American Republic, and therefore inadmissible, but are in the highest degree insulting to the American character—and whilst the members of this Legislature deprecate the horrors of war, and would rejoice that its clouds should be dispelled by the cheering rays of an honorable peace, they take pleasure in the expression of the opinion that this portion of the American people, will cheerfully breast the storm of war, rather than purchase the return of peace by the sacrifice of those rights which every independent American must hold dear.

And be it further unanimously resolved, that to make peace upon the terms proposed, would be to compromise the dignity and the honor of the Republic—to sacrifice the most important rights of the nation, and jeopardize her independence. The Legislature therefore respectfully recommend to the General Government a vigorous prosecution of the war, as the only means of humbling the pride of the enemy, producing an honorable peace, and transmitting to posterity unimpaired, the blessings of freedom and independence.

A message from the House of Representatives by Mr. Clayton their Clerk.

Mr. President,

The House of Representatives have passed the following bills from Senate, to wit :

A bill to authorise Henry Heald and others to establish a Lottery, &c. with an amendment.

A bill to add all that part of the unlocated territory of this state, which lies without the limits of the present counties to the county of Jasper, &c. with an amendment.

A bill to establish an uniform mode of calculating interest in this state, &c.

A bill to amend an act, to make permanent the scite of the public buildings in Morgan county—and

A bill to amend an act, more effectually to open and keep in repair, the public roads, causeways and bridges in this state, &c.

They have passed a bill to be entitled an act, to alter and amend an act, for the inspection of Tobacco, passed the 23d day of December, 1791—and

A bill to be entitled an act, to alter and change the name of Eliab Hodgins to that of Eliab Jones—and

They have agreed to the amendment made by Senate, to proceed on this day to elections ; and have passed a resolution pledging to the General Government



the best exertions of the citizens of the state of Georgia in the prosecution of the war—and he withdrew.

The Senate took up the message and the amendments made to the bills from Senate were respectively agreed to.

The bills by them passed, were severally read the first time—and

Ordered, that the residue of the message do lie on the table.

The Senate took up the report of the committee to whom was referred the petition of Lemuel Vickers in the words following, to wit :

WHEREAS it appears by the petition of Lemuel Vickers, that he was authorised by the commissioners of Milledgeville, to clear up, enclose and cultivate the public square in said town, on which the Penitentiary Edifice now stands with an express understanding, that he should have the benefit thereof, for the term of four years—and that by the commencement of the said Edifice previous to the expiration of said term, he was deprived of the benefits which he expected to derive from the soil as a remuneration for the labor he bestowed on it.

Be it therefore resolved by the Senate and House of Representatives in General Assembly met, that the commissioners of the town of Milledgeville be, and they are hereby authorised to grant to the said Lemuel Vickers for the term of two years, the privilege of cultivating so much of the cleared land on the common of said town as shall be equal in quantity of acres to the above mentioned square free of rent, as a remuneration for the labor bestowed by him as aforesaid.

Which being read was agreed to.

The Senate took up the resolution in favor of Obadiah Echols, Reddick Sims and Francis Flournoy—and the same being again read, on the question to agree to the same, it was determined in the negative, and the yeas and nays being required are yeas 15—nays 18.

Those in the affirmative are Messrs. Butler, Byrd, Cook, Cuthbert, Dooly, Fannin, Foster, Hawthorn, Irwin, Lane, Newsom, Piles, Swain, Williams and Wood.

Those in the negative are Messrs. Blair, Brown, Clark, Daniel, Flournoy, Freeman, Fulwood, Gaines, Greer, Hudson, Hatcher, Hudspeth, Little, Montgomery, Nesbit, Scruggs and Talbot.

Mr. Hudspeth from the committee on Finance reported on the Treasurer's Abstract which was read—and ordered to lie on the table.

Mr. Walker read and introduced the following resolution—

WHEREAS the principles of justice and propriety demand that the minority of any Legislative Assembly should have an opportunity of communicating to their fellow-citizens a correct view of the course of conduct by them pursued, in relation to any measure affecting the essential interests of their constituents and involving the

dignity and honor of the state, of whose deliberative councils, they form a part ;

And whereas the rejection by the Executive, of the bill to be entitled an act, to alleviate the condition of debtors—being a measure upon which the sensibilities of the good people of this state are likely to be aroused, furnishes a fit and proper occasion for the exercise of this right ;

And whereas it is due to the good people of the state of Georgia that they should be correctly informed as to the acts of their public functionaries—Whilst it is equally due to officers of the state, that they should be protected and supported in the constitutional and legitimate exercise of their official functions :

Be it therefore resolved, that those members of the Senate who voted in opposition to the bill to be entitled an act, to alleviate the condition of debtors, were actuated by a sacred regard to the obligations into which they had entered—and under the fullest conviction that such a bill would not promote the interest of the state ; believing as they did, that the principles of justice imperiously demanded that the Legislature of their country should afford a remedy for enforcing those contracts into which the citizens had voluntarily entered, and with which they had failed to comply—not doubting but that in a country possessing so many advantages, and yielding such an abundant profit to the labors of the farmer, the merchant and artificer, the means of compliance were at all times within the reach of the citizen—indeed a contrary sentiment would be paying a very poor compliment to the industry and prudence of the inhabitants of a state so highly favored by the hand of a beneficent creator. The minority however owe it to themselves to declare that in their opinion the condition of the citizen soldier, furnishes an exception to this general principle—and to this class of their fellow-citizens it was their wish and intention to extend the fostering and alleviating arm of government.

Resolved, That the militia whilst in service were the only class of citizens, whose condition merited Legislative interference, and that to have extended to them relief, the minority would cheerfully have joined the majority as well from motives of justice, humanity and benevolence as from public policy and patriotism—believing that by staying the hand of the rapacious creditor, the duty of the soldier would be performed more cheerfully and with better effect, his mind being thereby relieved from the pressing anxiety of an anticipated ruin and distress to his family in his necessary absence from home—and believing also, that an inducement would thereby be holden out for men voluntarily to join the standard of their country.

Resolved, That a bill having for object, the suspension of the process of execution against the militia of the state of Georgia, whilst engaged in actual service, would have met the approbation of two thirds of both branches of the Legislature.

*Resolved*, That the conduct of the majority of the Senate in refusing to admit of any amendments to the bill whilst on its passage for the continuance in force of an act, entitled an act, to alleviate the condition of debtors, and to which amendments were proposed by the minority, has had a tendency to augment that minority, and has thereby virtually prevented the passage of an act, to alleviate the condition of any portion of their fellow-citizens, and more especially an act, having for its object the alleviation of the condition of the militia who are or may be called to the tented field to fight the battles of their much injured country in defence of their dearest rights.

*Resolved*, That the conduct of his Excellency the Governor in rejection of the bill to be entitled an act, to continue in force an act, supplementary to and amendatory of an act, to alleviate the condition of debtors, passed the 6th day of December, 1813, which passed both branches of the Legislature, merits and ought to receive the approbation of his fellow-citizens—that the reasons assigned by him for this measure are amply sufficient to justify the course of conduct by him pursued, that they reflect equal credit on the clearness and perspicuity of his understanding, and the solidity of his judgment. That by this means he has evinced a sacred regard for the dignity and character of the state over which he presides with so much honor to himself and benefit to the community—that he has thereby evinced a firmness and decision of character called for by the crisis, and worthy the chief magistrate of a free people, whose rights depend not upon the capricious opinion of men; but are based upon the eternal fitness of things, and guaranteed by a constitution, the most incomparably excellent that ever was devised by the wisdom of man.

Ordered to lie on the table.

Mr. Fannin presented a petition from Abner Locket, which was read and referred to the committee of Finance.

The Senate adjourned till half after one o'clock this evening.

They met agreeably to adjournment.

A message from the House of Representatives by Mr. Clayton their Clerk.

*Mr. President*,

The House of Representatives have passed the bill to be entitled an act, to appropriate monies for the political year 1815, and I am directed to inform the Senate that the House of Representatives are ready to receive the Senate and proceed by joint ballot to the elections agreeably to concurred resolution—and he withdrew.

The Senate took up the message and the bill was read the first time.

The Senate then repaired to the Representative chamber, and being seated they proceeded by joint ballot to the choice of Paymaster General of this state, and on counting out the votes it appeared that Christopher B. Strong, Esquire, was duly elected.

They also proceeded to the choice of two Directors for the Planters Bank in the city of Savannah, and on counting out the votes it appeared that Charles Harris and Thomas Mendenhall, Esquires, were duly elected. The Senate then repaired to their chamber, and Adjourned 'till to-morrow morning 10 o'clock.

## THURSDAY, 17th November, 1814.

They proceeded to reconsider their minutes of yesterday so far as relates to the bill to be entitled an act, to continue in force an act, supplementary to and amendatory of an act, to alleviate the condition of debtors, passed the 6th of December, 1813—and

Ordered, that said bill do lie on the table.

They also proceeded to reconsider the minutes on the resolution in favor of Obadiah Echols, Reddick Sims and Francis Flournoy—and

Ordered that said resolution do lie on the table.

A message from the House of Representatives by Mr. Clayton their Clerk.

*Mr. President*,

The House of Representatives have concurred in the resolution appointing Gen. Thomas Flournoy a trustee of the University of this state.

They have agreed to the amendments made by Senate to the bill to establish the fees of Harbor Master and Health officer of the ports of Savannah and St. Mary's, and in the amendments to the bill to authorise the collection of rent in the city of Augusta—and

They have passed a resolution appointing a joint committee to determine on the course which is expedient to be pursued on the principles of sound and conciliatory policy in the present situation of our county—and he withdrew.

The Senate took up the message, and the resolution was concurred in—and

Ordered, that Messrs. Dooly, Walker, Daniel, Flournoy, Montgomery and Talbot be the committee on the part of Senate.

On motion of Mr. Daniel,

*Resolved*, That no amendment having for its object the security of our citizen soldiers, whilst in the service of their country, was proposed by the minority during the progress of the alleviating act, and if they were disposed to join the majority in that regard, it was never discovered by the majority until they thought proper to convey such an idea in their resolution apologizing for their rejection of the bill.

The following bill was read the second time, viz:

The bill to be entitled an act, to alter and amend an act, for the inspection of Tobacco, passed the 23d day of December, 1791.

Ordered for committee of the whole.

The bill to be entitled an act, to appropriate monies for the political year 1815.

Ordered for committee of the whole.



The bill to be entitled an act, to authorise the Justices of the Inferior court of Baldwin county to levy an extra tax.

Ordered for a third reading.

The bill to be entitled an act, to alter and change the name of Eliab Hodgens to that of Eliab Jones.

Ordered for a third reading.

The bill to be entitled an act, authorising Captain Thomas H. Miller of Camden county to establish a ferry across the north river, was taken up, and read the third time and passed.

The bill to be entitled an act, to raise money for the purpose of opening and improving the navigation of the Oconee river, from the mouth of Fishing creek to Barnett's shoals, was taken up and read the third time and passed.

The bill to be entitled an act, to alter the time of holding the Superior courts of the county of Lincoln, was taken up and read the third time and passed.

The Senate took up the report of the committee of the whole on the bill to divorce and separate John M. Jamison and Polly his wife, and Edward Harris and Ann his wife, and the same being amended by striking out Edward Harris and Ann his wife, was agreed to.

Whereupon the said bill was read the third time, and on the question shall this bill now constitutionally pass? it was determined in the negative, and the yeas and nays being required are yeas 21—nays 11.

Those in the affirmative are Messrs. Blair, Brown, Butler, Cuthbert, Dooly, Fannin, Flournoy, Foster, Freeman, Fulwood, Greer, Hardin, Hawthorn, Irwin, Newsom, Piles, Swain, Talbot, Walker, Williams and Wood.

Those in the negative are Messrs. Byrd, Cook, Daniel, Hatcher, Hudson, Hudspeth, Lane, Little, Montgomery, Nesbit and Scruggs.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to divorce Alexander Flaellen and Keziah his wife—Mr. Foster in the chair—Mr. President resumed the chair, and Mr. Foster reported that they had gone through the bill without any amendment.

Whereupon the said bill was read the third time, and on the question shall this bill be constitutionally passed? it was determined in the affirmative, and the yeas and nays being required, are yeas 22—nays 9.

Those who voted in the affirmative are Messrs. Blair, Brown, Butler, Clark, Cuthbert, Daniel, Dooly, Fannin, Flournoy, Fulwood, Greer, Hardin, Hawthorn, Irwin, Lane, Newsom, Piles, Swain, Talbot, Walker, Williams and Wood.

Those who voted in the negative are Messrs. Byrd, Cook, Foster, Hudson, Hudspeth, Little, Montgomery, Nesbit and Scruggs.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to authorise the raising of a corps of troops for the service of the state of Georgia, during the war between the United States and

Great Britain—Mr. Nesbit in the chair—Mr. President resumed the chair, and Mr. Nesbit reported that they had gone through the bill with amendments.

The Senate took up the report—and

On motion,

That the further consideration of the report be postponed until June next, it was determined in the negative, and the yeas and nays being required are yeas 12—nays 2.

Those who voted in the affirmative, are Messrs. Blair, Clark, Dooly, Foster, Gaines, Greer, Hudspeth, Lane, Newsom, Scruggs, Swain and Wood.

Those who voted in the negative are Messrs. Brown, Butler, Byrd, Cook, Cuthbert, Daniel, Fannin, Flournoy, Freeman, Fulwood, Hardin, Hatcher, Hawthorn, Hudson, Irwin, Little, Montgomery, Nesbit, Piles, Talbot, Walker and Williams.

Mr. Dooly then moved, the following be inserted, to wit: *Provided* nothing in this act contained, shall entitle any company officer to any pay or rations until such company shall be full, nor shall any Major or Colonel receive any pay or rations until his battalion or regiment to which he belongs be full and complete.

Whereupon the said bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to appropriate monies for the political year 1815—Mr. Irwin in the chair—Mr. President resumed the chair, and Mr. Irwin reported progress and had leave to sit again.

A message from the House of Representatives by Mr. Clayton their Clerk.

Mr. President,

The House of Representatives have passed a bill to be entitled an act, to raise a tax for the political year 1815—and he withdrew.

The Senate took up the message and the said bill was read the first time.

The Senate took up the resolution in favor of Obadiah Echols, Reddick Sims and Francis Flournoy, and the same being again read was agreed to.

Adjourned 'till 10 o'clock to-morrow morning.

#### FRIDAY, 18th November, 1814.

The Senate proceeded to reconsider their minutes of yesterday so far as respects the passage of the bill to be entitled an act, to separate and divorce John M. Jamison and Polly his wife—and

Ordered, that the bill do lie on the table.

A bill to be entitled an act, to authorise the Justices of the Inferior court of Baldwin county to levy an extra tax, was taken up and read the third time and passed.

The bill to be entitled an act, to alter and change the name of Eliab Hodgens to that of Eliab Jones, was taken up and read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to alter and a-

and an act, for the inspection of Tobacco, passed the 10th day of December 1791—Mr. Daniel in the chair—Mr. President resumed the chair, and Mr. Daniel reported that they had gone thro' the same without any amendment.

The bill was then read the third time, and on the question shall this bill now pass? it was determined in the negative, and the yeas and nays being required, are yeas 8—nays 23.

Those in the affirmative are Messrs. Byne, Cuthbert, Lounoy, Fulwood, Hardin, Hudson, Talbot & Walker.

Those in the negative are Messrs. Brown, Butler, Cook, Daniel, Dooly, Fannin, Foster, Greer, Hatcher, Hawthorn, Hudspeth, Irwin, Lane, Little, Montgomery, Nesbit, Newsom, Piles, Scruggs, Swain, Williams and Wood.

The Senate again resolved itself into a committee of the whole, on the bill to be entitled an act, to appropriate monies for the political year 1815—Mr. Irwin in the chair—Mr. President resumed the chair, and Mr. Irwin reported that they had gone thro' the same with amendments.

Ordered, that the report do lie on the table.

Mr. Hudspeth from the committee on Finance reported.

The joint committee on Finance to whom was referred the petition of Johnson and Kunze reported that upon examination of the facts embraced in said petition, they are fully impressed with the justice and propriety of their application, and that they are entitled to relief; they therefore recommend the following resolution—

*Resolved*, that the sum of one hundred and thirty six dollars, sixteen and a half cents, ought to be refunded to the petitioners, that being the amount over paid by them to the state of Georgia, in consequence of certain property being over taxed, and also by reason of both petitioners having paid taxes for the same property, and the same being read was agreed to.

He also reported as follows:

The joint committee on Finance to whom was referred the Treasurer's statement of the Treasury, up to the 6th November, 1814, inclusive, beg leave to report:

That they have examined the several items therein contained, with the books, cash, &c. in the Treasury and find the same to agree with the statement in every particular.

They have had under their consideration the items in the Treasurer's statement, denominated bonds and notes, and find from enquiry of the Treasurer that some of the bonds are or will be open to immediate collection, while others for the want of directions from the Legislature in this particular, will remain in the Treasury unacted upon—in order therefore to put all persons indebted to the state by bonds or notes on the same footing, they recommend the following resolution:

*Resolved*, That his Excellency the Governor, cause such measures to be adopted as will ensure as speedily as may be, the collection of the bonds in the Treasury

office, given for Milledgeville lots, the notes given for the rent of fractions, and for the rent of the twenty acre lots on the Milledgeville common and such other bonds and notes as may be in the Treasury, and not heretofore required to be put in suit.

The joint committee on Finance to whom was referred the report of the Solicitors of the Eastern and Western districts relative to confiscated property, beg leave to report, that they have received from the commissioners William Robertson and Hines Holt, four mortgages, one given by Abraham Jones, one by James Montford, one by Sheftall Sheftall and the fourth by Roger P. Sanders—that there appears to be a deficiency of several mortgages of which they have received no information, and they further report, that they deem it expedient that measures should be taken as early as possible by the Attorney and Solicitors General to ensure the collection of the sums due by mortgages and bonds for confiscated property; we therefore recommend the following resolution—

*Resolved*, That his Excellency the Governor be requested to instruct the Attorney and Solicitors General of this state, to take the most speedy and effectual measures to ensure the collection and payment into the Treasury of all monies due for confiscated and reverted property, which were severally read and agreed to.

Mr. Talbot from the joint committee reported a bill to be entitled an act, to regulate the Courts of Law and Equity in this state, and for affording temporary relief to the soldiers whilst in the service of this state or of the United States, which was read the first time.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to authorise the several Courts of Equity in this state to grant remedies in certain cases—Mr. Cook in the chair—Mr. President resumed the chair, and Mr. Cook reported that they had gone through the bill with amendments.

Mr. Dooly moved that the report do lie on the table, and on the question to agree, it was determined in the negative, and the yeas and nays being required are yeas 6—nays 26.

Those in the affirmative are Messrs. Brown, Byrd, Dooly, Hardin, Lane and Newsom.

Those who voted in the negative, are Messrs. Blair, Brown, Butler, Cook, Cuthbert, Daniel, Fannin, Flournoy, Freeman, Fulwood, Greer, Hatcher, Hawthorn, Hudson, Hudspeth, Irwin, Little, Montgomery, Nesbit, Piles, Scruggs, Swain, Talbot, Walker, Williams and Wood.

The fourth section being taken up in the words following—

And be it further enacted by the authority aforesaid, that in all cases when a verdict shall hereafter be rendered and judgment entered and signed thereon, in any of the Superior or Inferior courts of this state, the party against whom such judgment shall be so entered, may enter good and sufficient security, either in open court or in the Clerk's office, within ten days after the adjournment of said

court, for the payment of the judgment and cost, within six months from the date of said judgment, and if such party shall not pay the same agreeably thereto, execution may issue against such party, and the security without any other proceedings thereon.

Mr. Dooly moved to strike out security, and on the question to agree to the same, it was determined in the negative, and the yeas and nays being required are yeas 12—nays 21.

Those in the affirmative, are Messrs. Brown, Cook, Daniel, Dooly, Foster, Hatcher, Hudspeth, Irwin, Lane, Newsom and Piles.

Those in the negative, are Messrs. Blair, Butler, Byne, Byrd, Cuthbert, Fannin, Flournoy, Freeman, Fulwood, Greer, Hardin, Hawthorn, Hudson, Little, Montgomery, Nesbit, Scruggs, Talbot, Walker, Williams and Wood.

Mr. Daniel moved that the same section be amended by inserting the words following, "may stay all further proceedings," and on the question, it was agreed to.

Mr. Dooly moved that six months be stricken out, and twelve months inserted in said section, and on the question to agree, it was determined in the affirmative, and the yeas and nays being required are yeas 18—nays 14.

Those who voted in the affirmative are Messrs. Blair, Brown, Cook, Daniel, Dooly, Fannin, Foster, Hatcher, Hawthorn, Hudspeth, Irwin, Lane, Little, Montgomery, Newsom, Swain, Williams and Wood.

Those who voted in the negative are Messrs. Butler, Byne, Byrd, Cuthbert, Flournoy, Fulwood, Freeman, Greer, Hardin, Hudson, Nesbit, Scruggs, Talbot and Walker.

Mr. Walker moved that the following clause be agreed to as a substitute for the 4th section, to wit :

And be it further enacted, that no civil process shall hereafter issue or be served on the person or property of any officer or soldier of the state, whilst engaged in the service of this state, or of the United States, nor shall any sale take place under or by virtue of any execution heretofore levied on any property belonging to any officer or soldier whilst actually engaged as aforesaid; and on the question to agree to the same, it was determined in the negative, and the yeas and nays being required are yeas 12—nays 21.

Those who voted in the affirmative are Messrs. Byne, Byrd, Fulwood, Flournoy, Freeman, Greer, Hudson, Hardin, Nesbit, Piles, Scruggs and Walker.

Those who voted in the negative are Messrs. Blair, Brown, Butler, Cook, Cuthbert, Daniel, Dooly, Fannin, Foster, Hatcher, Hawthorn, Hudspeth, Irwin, Lane, Little, Montgomery, Newsom, Swain, Talbot, Williams and Wood.

Mr. Daniel moved that the following be inserted as an amendment to the sixth section, viz : after the word rendezvous, insert, or within six months after the expiration of the term of service of said soldier, provided

such soldier shall within twenty days after the expiration of his term of service give security as other persons are required to do by this act—and.

Mr. Daniel then moved that the section be then agreed to as amended, in the following words, to wit :

And be it further enacted, that it shall not be lawful for any of the Judges of the Superior courts, Justices of the Inferior courts or Justices of the peace in this state, to suffer any verdicts to be rendered or judgments entered or signed in any or either of their said courts against any soldier, or officer of this state, whilst such soldier or officer is in the service of this state or of the United States, but in all cases when it shall be made satisfactorily to appear to any of the said courts, that either of the parties to any case in either of their said courts depending, is in the service aforesaid, the same shall be held, deemed and considered a good ground and sufficient cause of continuance of said case, if either of said parties, their agent or attorney choose to claim the same; nor shall any execution be levied on, or the property of any such soldier or officer be sold by virtue of any execution which has heretofore or may hereafter be issued against him, whilst he is in the service aforesaid or on his way to or returning from the place of rendezvous, nor shall any civil process whatever be issued against any soldier or officer, whilst in such service; and on the question, it was determined in the affirmative, and the yeas and nays being required are yeas 31—nays 0.

Those who voted in the affirmative are Messrs. Blair, Brown, Butler, Byne, Byrd, Cook, Daniel, Dooly, Fannin, Flournoy, Foster, Freeman, Fulwood, Greer, Hardin, Hatcher, Hawthorn, Hudson, Hudspeth, Irwin, Lane, Little, Montgomery, Nesbit, Newsom, Piles, Scruggs, Swain, Talbot, Walker, Williams and Wood.

The report being read as amended was agreed to.

Whereupon the said bill was read the third time, and on the question shall this bill now pass, under the title of an act, to authorise the several Courts of Equity in this state to grant remedies in certain cases, and to regulate the courts of Law and Equity in this state, and for affording temporary relief to the soldiers, whilst in the service of this state, or of the United States and for other purposes? it was determined in the affirmative, and the yeas and nays being required are yeas 22—nays 10.

Those who voted in the affirmative are Messrs. Blair, Brown, Butler, Cook, Cuthbert, Daniel, Dooly, Fannin, Foster, Fulwood, Hatcher, Hawthorn, Hudspeth, Irwin, Lane, Little, Montgomery, Newsom, Swain, Talbot, Williams and Wood.

Those in the negative are Messrs. Byrd, Flournoy, Freeman, Greer, Hardin, Hudson, Nesbit, Piles, Scruggs and Walker.

A message from the House of Representatives by Mr. Clayton their Clerk.

Mr. President,

The House of Representatives have concurred in the

resolution in favor of the Tax Collector of the county of Clark.

In the resolution introduced by Mr. Spalding, to authorise his Excellency the Governor, to settle and pay to the government of the United States, the state's proportion of Direct Tax.

They have agreed to the report of the committee of conference on the amendment proposed by the House of Representatives to the attachment law.

They have agreed to the report of the committee on Finance, on the Comptroller General's report—and

They have agreed to the report of the select committee on the petition of Benjamin Davis.

They have passed the following resolutions—

A resolution appointing Thompson Bird, a commissioner of the academy of Baldwin county.

A resolution appointing Samuel Sturges a commissioner of the academy of Burke county.

A resolution appointing James A. Rogers a Notary Public for the county of Telfair.

A resolution appointing William A. Knight a commissioner of the academy of the county of Wayne—and

They have passed the following bills from Senate.

A bill to divorce Elizabeth O'Reily and John O'Reily her husband, and to secure certain property to the said Elizabeth, her heirs and assigns, and to divorce Rachael Jones and Robert Jones her husband, without amendment.

A bill to authorise the Inferior court of Pulaski county with the Clerk and Sheriff of said county, to select and draw a Grand and Petit Jury for the next term of the Superior court of said county, with an amendment—and

They have passed a bill to be entitled an act, to divorce Jacob C. Dyer and Betsey Dyer his wife—and he withdrew.

Ordered that said message do lie on the table.

The Senate took up the bill to be entitled an act, to levy a tax for the support of Government, for the political year, 1815, &c.—Mr. Hudson in the chair—Mr. President resumed the chair, and Mr. Hudson reported that they had gone through the bill with an amendment.

The Senate took up the report, which was read and agreed to.

And the bill ordered for a third reading.

The Senate took up the report of the committee of the whole, on the bill to be entitled an act, to appropriate money for the political year, 1815; and the same being amended was agreed to.

Whereupon the bill was read the third time and passed.

Adjourned 'till 9 o'clock to-morrow morning.

**SATURDAY, 19th November, 1814.**

On motion of Mr. Irwin,

Resolved by the Senate and House of Representatives of the state of Georgia, in General Assembly met, that the commissioners of the town of Milledgeville be, and they are hereby authorised, to lease to Jesse Burson three acres of land, on the common of said town, now occupied by him, for the term of seven years, upon such terms as they may deem reasonable and just.

On motion of Mr. Montgomery,

Resolved by the Senate and House of Representatives of the State of Georgia, that the Treasurer of this state, and all other officers employed in collecting money arising from the sale of fractional surveys be, and they are hereby authorised and directed to extend to all soldiers in the service of this state or of the United States, the same indulgence which is by law extended to soldiers in cases of private contracts, and to all other citizens indebted for fractional surveys, the same indulgence which an act, entitled an act, to authorise the several Courts of Equity in this state to grant remedies in certain cases, and to regulate the courts of Law and Equity in this state, and to afford temporary relief to the soldiers whilst in the service of this state or of the United States and for other purposes, gives to citizens in case of private contracts, on their complying with the requisitions of the said law.

On motion of Mr. Foster;

The President of Senate having stated to Senate, that from indisposition he was compelled to request leave to retire from the chair during the balance of the session;

Resolved therefore, that the Hon. Jared Irwin as President pro. tem. do take the chair for the remainder of the session, and that the Secretary do inform the House of Representatives to that effect.

The bill to be entitled an act, to establish and regulate the inspection of Flour, was taken up and on the question shall this bill now pass? it was determined in the affirmative, and the yeas and nays being required, are yeas 17—nays 14.

Those who voted in the affirmative are Messrs. Blair, Brown, Byne, Byrd, Cook, Cuthbert, Freeman, Fulwood, Hardin, Hudson, Montgomery, Scruggs, Talbot, Walker, Williams and Wood.

Those who voted in the negative are Messrs. Butler, Daniel, Dooly, Fannin, Foster, Greer, Hatcher, Hawthorn, Hudspeth, Lane, Little, Nesbit, Newsom, and Swain.

On motion of Mr. Foster,

Resolved, that the Treasurer and Tax Collectors be, and they are hereby fully authorised to receive the Treasury notes of the United States of America in payment of taxes and debts due the state of Georgia.

On motion,

Mr. Flournoy had leave of absence the balance of the session after to-day.

On motion,

Resolved, that Messrs. Freeman, Talbot, and New-

shall be the committee to examine the accounts of the members of Senate the present session.

The Senate took up the message of yesterday from the House of Representatives and the amendment to the bill from Senate was agreed to, and the several resolutions concurred in, and the bill from the House of Representatives ordered to lie on the table.

They also took up the message of to-day and concurred in the resolution therein contained.

The bill to divorce Joan M. Jamison and wife was read the third time, and on the question shall this bill constitutionally pass? it was determined in the negative, and the yeas and nays being required are yeas 20—nays 11.

Those who voted in the affirmative are Messrs. Blair, Brown, Butler, Clark, Cuthbert, Dooly, Fannin, Flournoy, Foster, Freeman, Greer, Hardin, Hawthorn, Lane, Piles, Swain, Talbot, Walker, Williams and Wood.

Those who voted in the negative are Messrs. Byne, Byrd, Cook, Daniel, Hatcher, Hudson, Hudspeth, Little, Montgomery, Nesbit and Scruggs.

On motion of Mr. Walker,

*Resolved*, That Messrs. Lane, Freeman and Newsum, be a committee on the part of Senate on unfinished business, and that they be allowed three days after the Senate shall adjourn *sine die*, to see the great seal of the state affixed to the Laws which have passed during the present session of the Legislature.

Mr. Lane from the committee to examine the Journal reported, that they had examined and found correctly recorded, the Journals of Senate up to Wednesday the 16th instant.

The Senate adjourned 'till half after 2 o'clock.

The Senate met agreeably to adjournment.

A message from the House of Representatives by Mr. Clayton their Clerk.

*Mr. President*,

The House of Representatives have passed the bill to be entitled an act, to amend an act, to organize the detachments of men which may hereafter be required by the President of the United States, from the Executive of this state—and

The bill to be entitled an act, to authorise the several Courts of Equity in this state to grant remedies in certain cases &c.—and he withdrew.

The Senate took up the message and the amendment made by the House of Representatives to the last mentioned bill was read and agreed to.

Ordered, that the residue of the message do lie on the table.

Mr. Piles of Glynn and Mr. Brown of Wayne had leave of absence for the remainder of the session.

Adjourned 'till 10 o'clock Monday morning.

**MONDAY, 21st November, 1814.**

The Senate proceeded to reconsider their minutes of

Saturday so far as relates to the directing the Treasurer to receive bank bills and Treasury notes.

Also, so far as respects the passage of the bill to divorce and separate John M. Jamison and Polly his wife—and

Ordered, that said bill do lie on the table—and

Also, so far as respects the bill to divorce and separate J. Dyer and Betsey Dyer his wife—and

Ordered that the said bill do lie on the table.

Mr. Hudspeth presented a petition from a number of the inhabitants of Jones county, praying an increase of pay as spies over the Ocmulgee river, which was read—and

Ordered to lie on the table.

The Senate took up the amendments made by the House of Representatives to the bill to be entitled an act, to alter and amend an act, to organize the detachments of men which may hereafter be required by the President of the United States, from the Executive of this state, for the service of the Union.

On motion of Mr. Foster to disagree, and amend in the words following—

Be it enacted by the Senate and House of Representatives of the state of Georgia, in General Assembly met, and it is hereby enacted by the authority of the same, that for the better organizing the detachments of militia, which may hereafter be called into service, it shall and may be lawful for his Excellency the Governor to issue orders to the respective Major Generals, from whose division detachments of militia may be called, directing him to order elections for field and company officers, and whose duty it shall be to issue orders accordingly, and to appoint the officers to advertise, hold and preside at such elections; and it shall be the duty of the officers thus appointed to advertise said election ten days previously to holding the same, and all persons shall be entitled to vote at such election, who will be subject to the command of such officers when elected; and that in case such detachment should be marched to the place of rendezvous or encampment previous to the election of any regimental, battalion or company officers, it shall be the duty of the General or commanding officer of such detachment to order an election for field and company officers or other vacancies as the case may require, and it shall be the duty of the presiding officers or a majority of them, forthwith after such election, to certify the person or persons having the highest number of votes, and make a return thereof to the Governor, who shall thereupon issue special commissions to the officers elected; and it shall and may be lawful for the commanding officer of the detachment to issue brevets to the officers elected, until their commissions are received, and on the question to disagree to the same? it was determined in the affirmative, and the yeas and nays being required are yeas 16—nays 16.

Those in the affirmative are Messrs. Byne, Clark,



Dooly, Fannin, Flournoy, Foster, Fulwood, Gaines, Hardin, Hawthorn, Hudson, Hudspeth, Talbot, Walker, Williams and Wood.

Those in the negative are Messrs. Blair, Butler, Byrd, Cook, Cuthbert, Daniel, Freeman, Greer, Hatcher, Lane, Little, Montgomery, Nesbit, Newsom, Scruggs and Swain.

The President pro tem. voting in the affirmative, the amendment was disagreed to by the Senate.

*Resolved*, That the Senate do disagree to the amendment of the House proposing to strike out the 4th, 5th and 6th sections of said bill.

The amendment made by the House of Representatives to said bill, being taken up and read in the words following—

And be it further enacted, that from and after the passing of this act, whenever the students of the University may be called into the service of the United States, or of this state, it shall be the duty of the Major of the battalion in which they reside, to class the said students according to the class by which they are known in College, or in such other manner as may be most conducive to the interest of said institution, and that said students be exempt from mustering until they are called into service.

Mr. Daniel then moved that the amendment be disagreed to, and the following be substituted in lieu thereof, viz :

And be it further enacted, that the students at the University subject to military duty, shall be classed as other persons liable to militia service, except that such students may be divided in three classes, in such manner as the Major commanding the battalion in which they reside direct, and they shall be enroled in the first, second and third classes, in such manner as may be most conducive to the interest of the said institution, or that each class be at liberty to draw for their classes and be enroled accordingly, and on the question to agree to the same? it was determined in the affirmative, and the yeas and nays being required are, yeas 17—nays 15.

Those in the affirmative are Messrs. Blair, Butler, Byrd, Cook, Daniel, Fannin, Foster, Greer, Hardin, Hatcher, Hawthorn, Lane, Little, Newsom, Scruggs, Swain and Williams.

Those in the negative are Messrs. Byne, Clark, Cuthbert, Dooly, Flournoy, Freeman, Fulwood, Gaines, Hudson, Hudspeth, Montgomery, Nesbit, Talbot, Walker and Wood.

The residue of the amendments were severally read and agreed to.

The bill to be entitled an act, to divorce J. Dyer and Jersey Dyer his wife, was taken up and read the second time—and

Ordered to lie on the table.

The bill to be entitled an act, to divorce and separate John M. Jamison and Polly his wife, was taken up, read the third time, and on the question shall this bill

now pass? it was determined in the affirmative, and the yeas and nays being required, are yeas 20—nays 9.

Those in the affirmative are Messrs. Blair, Butler, Clark, Cuthbert, Dooly, Fannin, Flournoy, Foster, Freeman, Fulwood, Greer, Hardin, Hawthorn, Lane, Newsom, Swain, Talbot, Walker, Williams and Wood.

Those in the negative are Messrs. Byrd, Cook, Daniel, Hatcher, Hudson, Little, Montgomery, Nesbit and Scruggs.

On motion of Mr. Montgomery,

WHEREAS it is believed that the interest of the state of Georgia will be essentially promoted by becoming a share-holder in the Bank of the United States, about to be established, and the General Assembly of the state of Georgia being willing to afford their countenance and support to the establishment of said Bank ;

Be it therefore resolved by the Senate and House of Representatives of the state of Georgia, in General Assembly met, that his Excellency the Governor be, and he is hereby authorised and required, to subscribe in behalf of this state, for as many shares in the said Bank of the United States, (if established by law) as the proceeds of the sale of our Western lands will enable him.

A message from the House of Representatives by Mr. Clayton their Clerk.

*Mr. President*,

The House of Representatives do adhere to their amendments, disagreed to by Senate, made to the bill to be entitled an act, to alter and amend an act, to organize the detachments of men which may hereafter be required by the President of the United States, from the Executive of this state for the service of the Union, and have appointed a committee of conference on their part to join such as may be appointed by Senate to confer on the subject matter of dispute—and he withdrew.

The Senate took up the message and agreed to the committee of conference, and appointed on their part Messrs. Dooly, Cook, Daniel and Walker.

Mr. Dooly from the committee of conference reported, that the Senate do recede and concur with the amendments made by the House of Representatives to the bill to be entitled an act, to alter and amend an act, to organize the detachments of men which may hereafter be required by the President of the United States, &c.

The Senate took up the report, and on the question to agree to the same? it was determined in the affirmative, and the yeas and nays being required, are yeas 27—nays 7.

Those in the affirmative are Messrs. Blair, Butler, Byrd, Cook, Cuthbert, Daniel, Fannin, Freeman, Fulwood, Gaines, Greer, Hardin, Hatcher, Hawthorn, Hudson, Little, Montgomery, Nesbit, Newsom, Scruggs, Swain, Talbot, Walker and Williams.

Those in the negative, are Messrs. Clark, Dooly, Flournoy, Foster, Hudspeth, Lane and Wood.

Mr. Clark laid on the table the following resolution ;  
WHEREAS the principal burthen of the militia service

of the United States is generally performed by men who are unable to hire substitutes, and on whose personal exertions their families must consequently depend for maintainance and support;

*Resolved*, that it is the sense of the Senate and House of Representatives of this state, that any increase of the term of that service, would be impolitic and oppressive, and that our Senators in Congress be directed and our Representatives requested to oppose any measure having for its object an extension of the period of such service.

Adjourned 'till to-morrow morning 9 o'clock.

**TUESDAY, 22d November, 1814.**

A message from the House of Representatives by Mr. Clayton their Clerk.

*Mr. President,*

The House of Representatives have added Mr. H. Brown to the committee on enrolled bills.

They have agreed to the amendments to the bill to establish and regulate the inspection of Flour, and in the amendments to the bill to divorce John M. Jamison and Polly his wife.

They have concurred in the resolution appointing a joint committee on unfinished business and have added a committee on their part.

In the resolution recommending to Congress a vigorous prosecution of the war.

In the resolution in favor of Echols, Sims and Flournoy.

In the resolution in favor of Jesse Burson.

In the report of the committee of Finance on the Comptroller General's report—and

In the report of the committee of Finance on the Treasurer's report.

They have passed the following bills—

A bill to make valid the transcribed copy of the records of the Register of Probates of Columbia county.

The bill to be entitled an act, to repeal that part of the third section of an act, as relates to Clerks and Sheriffs, &c.

The bill to be entitled an act, to authorise the Inferior court of the county of Burke to sell the Glebelands of said county.

The bill to prevent encroachments on the streets and highways in the city of Augusta—and

The bill to alter and amend the 5th section of an act, entitled an act, to alter and amend the judiciary laws in force in this state—and he withdrew.

On motion of Mr. Hardin,

*Resolved* by the Senate and House of Representatives of the state of Georgia in General Assembly met, that James Grace of the town of Milledgeville be, and he is hereby authorised to erect a tannery on the common of said town at or near the brick yard cleared out by Mr. Guiry, and that he be allowed the privilege of

five acres of land for the purpose aforesaid, during the term of ten years, which being read was ordered to lie on the table the balance of the session.

A message from the House of Representatives by Mr. Clayton their Clerk.

*Mr. President,*

I am directed to inform the Senate that the House of Representatives have received the bill to be entitled an act, to authorise the several Courts of Equity in this state to grant remedies in certain cases, and to regulate the Courts of Law and Equity in this state, and for affording temporary relief to the soldiers whilst in the service of this state or of the United States, and for other purposes, with the reasons of his Excellency for dissenting to the same; that the House of Representatives have re-enacted the said bill by a large constitutional majority of their body—and he withdrew.

The Senate took up the message, and on the question shall this bill be re-enacted by a constitutional majority, it was determined in the negative, and the yeas and nays being required, are yeas 19—nays 13.

Those in the affirmative, are Messrs. Blair, Butler, Cook, Cutlbert, Daniel, Dooly, Fannin, Foster, Fulwood, Hatcher, Hawthorn, Hudspeth, Lane, Little, Montgomery, Newsom, Swain, Williams and Wood.

Those in the negative are Messrs. Byne, Byrd, Clark, Flournoy, Freeman, Gaines, Greer, Harden, Hudson, Nesbit, Scruggs, Talbot and Walker.

Mr. Daniel laid on the table the following resolution—

*Resolved*, that it is the opinion of this Legislature that the President and Directors of the Augusta Bank and the Planters' Bank of Savannah ought to advance to the citizens of this state, specie in payment of their bills, when presented to them for that purpose.

On motion of Mr. Dooly,

*WHEREAS* from the present situation of our country, an act to alleviate the condition of debtors is thought expedient—and whereas two acts embracing this object have passed at this session by large majorities of both branches of the General Assembly which have met with the Governor's dissent—

And whereas from the absence of members, two thirds cannot be procured, to afford a constitutional passage of either of the said bills;

Be it therefore resolved, that the Senate and House of Representatives will adjourn on Wednesday the 23d instant, until Monday the — day of December next, then to meet again at the State-house in Milledgeville and resume the business of the session.

The Senate then adjourned 'till 3 o'clock this evening.

The Senate met agreeably to adjournment.

The Senate took up the resolution, laid on the table by Mr. Dooly of this day.

Mr. Dooly moved that the blank in said resolution be filled up with the 19th December next, and on the

the question? it was determined in the affirmative, and the yeas and nays being required, are yeas 17—nays 13.

Those in the affirmative are Messrs. Blair, Butler, Cook, Cuthbert, Daniel, Dooly, Fannin, Foster, Gaines, Hatcher, Hawthorn, Hudspeth, Lane, Newsom, Swain, Williams and Wood.

Those in the negative are Messrs. Byne, Byrd, Clark, Flournoy, Freeman, Fulwood, Greer, Hardin, Hudson, Nesbit, Scruggs, Talbot and Walker.

Mr. Walker moved that the following words be stricken out, viz :

“And whereas from the absence of members two thirds cannot be procured to afford a constitutional passage of either of the said bills,” and on the question? it was determined in the affirmative.

The resolution was then read as amended, and on the question to agree to the same, it was determined in the affirmative, and the yeas and nays being required are yeas 16—nays 14.

Those who voted in the affirmative are Messrs. Blair, Butler, Cuthbert, Daniel, Dooly, Fannin, Foster, Gaines, Hatcher, Hawthorn, Hudson, Lane, Newsom, Swain, Williams and Wood.

Those who voted in the negative are Messrs. Byne, Byrd, Cook, Flournoy, Freeman, Fulwood, Greer, Hardin, Hudson, Nesbit, Scruggs, Talbot and Walker.

A message from the House of Representatives by Mr. Clayton their Clerk.

*Mr. President,*

The House of Representatives have passed a resolution requesting his Excellency the Governor to have printed two acts passed during the present session of the Legislature—and

Passed a resolution that they are now ready to adjourn *sine die*—and he withdrew.

The Senate took up the message, and the first resolution was concurred in—and

Ordered, that the resolution for adjournment do lie on the table.

Mr. Daniel called up the resolution respecting the several Banks in this state to pay to the citizens Gold and Silver for their notes, which being read was ordered to lie on the table.

The Senate adjourned 'till 8 o'clock to-morrow morning.

### WEDNESDAY, 23d November, 1814.

The Senate proceeded to reconsider their minutes of yesterday so far as respects the re-enacting the bill to be entitled an act, to authorise the several Courts of Equity in this state, to grant remedies in certain cases, and to regulate the Courts of Law and Equity in this state, and for affording temporary relief to the soldiers whilst in the service of this state or of the United States, and for other purposes—and

Ordered, that the bill do lie on the table.

They also reconsidered the minutes relative to adjourning until January next—and

Ordered, that the resolution do lie on the table.

The Senate again took up the bill to be entitled an act, to authorise the several Courts of Law and Equity in this state to grant remedies in certain cases and to regulate the Courts of Law and Equity in this state, and for affording temporary relief to the soldiers whilst in the service of this state or of the United States, and for other purposes, and on the question, that the act be re-enacted by a constitutional majority? it was determined in the affirmative, and the yeas and nays being required, are yeas 21—nays 7.

Those who voted in the affirmative are Messrs. Blair, Butler, Cook, Cuthbert, Daniel, Dooly, Fannin, Flournoy, Foster, Fulwood, Hatcher, Hawthorn, Hudson, Hudspeth, Lane, Nesbit, Newsom, Swain, Talbot, Williams and Wood.

Those who voted in the negative are Messrs. Byne, Freeman, Gaines, Greer, Hardin, Scruggs and Walker.

A message from the House of Representatives by Mr. Clayton their Clerk.

*Mr. President,*

The House of Representatives have concurred in the resolution on the subject of the fractional commissioners—and have passed two bills from Senate.

They have appointed a committee to join one from Senate to wait on his Excellency the Governor, and inform him that the Legislature are now ready to adjourn—and he withdrew.

The Senate took up the message and concurred in the resolution to wait on his Excellency the Governor, and appointed Messrs. Foster, Cook and Walker, on part of Senate.

On motion of Mr. Foster,

*Resolved*, that his Excellency the Governor be, and he is hereby authorised and required to cause to be published immediately in the several Gazettes of this state, an act to authorise the several Courts of Law and Equity in this state to grant remedies in certain cases, and to regulate the Courts of Law and Equity in this state, and affording temporary relief to the soldiers whilst in the service of this state and of the United States, and for other purposes.

Mr. Walker from the joint committee appointed to wait on his Excellency the Governor, to enquire whether he has any further communication to make to either branch of the Legislature, reported, that the committee had performed the duty assigned them, and had received for answer, that he had nothing further to communicate.

A message from the House of Representatives by Mr. Clayton their Clerk.

*Mr. President,*

The House of Representatives have concurred in the resolution requesting his Excellency the Governor, to



have printed the bill staying proceedings for 12 months—and he withdrew.

Mr. Lane from the committee on enrolled bills, reported sundry acts as duly enrolled and signed by the Speaker, which were presented to, and severally signed by the President of Senate.

Ordered, that the committee of enrolment do carry said acts to his Excellency the Governor for his revision.

The President of Senate signed the re-enacted act, entitled an act, to authorise the several Courts of Law and Equity in this state to grant remedies in certain cases, and to regulate the Courts of Law and Equity in this state, and for affording temporary relief to the soldiers whilst in the service of this state or of the United States, and for other purposes.

Ordered, that the committee of enrolment do carry the said bill to the Secretary of State's office and see the great seal affixed to the same.

A message from the House of Representatives by Mr. Clayton their Clerk.

*Mr. President,*

I am directed to inform the Senate that the House of Representatives are now ready to adjourn without a day—and he withdrew.

On motion of Mr. Walker,

*Resolved unanimously*, that the thanks of the Senate be, and the same are hereby tendered to the honorable William Rabun, President, and the honorable Jared Irwin, President pro. tem. of Senate, for their faithful and impartial discharge of the duties of the Chair.

Ordered, that the Secretary inform the House of Representatives that the Senate are now ready to adjourn *sine die*.

The President pro. tem. of Senate, then adjourned the Senate without a day.

*Attest,*

WILL. ROBERTSON, *Sec'ry.*

**FINIS**

	Bonds for lots in Milledgeville.	Bonds for fractions and square lots sold in the year 1814.	Notes for fractions rented out.	Notes for the rent of 20 acre lots on the Milledgeville com-mon.	B. Franklin's rec'd as Sol. Gen'l Oe-mulgee district for bonds placed in his hands to collect for the state.	John Kell's receipt as Sol. Gen'l Eastern dist. for bonds placed in his hands to collect for the state.
Remaining in the received in paper received from the interest due on \$4 add to the United Executive order add to the bonds bonds—and to 16	43712 46	23566 56	434 66	3290 00	123207 45	4835 87
Add to the United Deduct from the amount received the amount of the Deduct from the U tive order of the from said depos	544 58	288 53			2659 45	
	49257 5	25855 9			125866 90	
	2177 87	3555 60		583 50	8089 43	
	47079 17	22299 49	434 66	2706 50	117777 44	4835 87

Dr.

Cr.

1813. } For balts paid off and taken in at the Treasury be-  
 Nov. 1. } For amt, 1814, inclusive—chargeable to the after-  
 the a

General	\$ 49 00
Do	712 12
Do	21 00
Do	1127 27
Do	6488 00
Do	3659 75
Do	37 50
Direct	5825 00
Vendu	11075 00
Notes	3999 70
Bonds	15953 23
Bonds	5145 43
Bonds	49662 78—103755 81
Bedue	16959 48
Divide	
Do	46 80
Rand	\$ 120762 9
Mathe	76823 98
Joseph	\$ 197586 8
Roger	
James	
John	
Fund	
Fund	
Fund	
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W. V	
to C	

GEORGE R. CLAYTON,  
 Treasurer.



**JOURNAL**

**OF THE**

**SENATE**

**OF THE**

**State of Georgia,**

**AT AN ANNUAL SESSION OF THE GENERAL ASSEMBLY, BEGUN AND HELD  
AT MILLEDGEVILLE, THE SEAT OF GOVERNMENT,  
IN NOVEMBER AND DECEMBER**

**1815.**

---

**MILLEDGEVILLE :**

**~~W. F.~~ GRANTLAND—STATE PRINTERS.**



STATE of the 31st of October, 1815, inclusive—and of the

	kinson counties, late session.	Bonds for lots in Milledgeville.	Bonds for fractions and square lots sold in the year 1814.	Notes for fractions rented out.	Notes for the rent of 20 acre lots on the Milledgeville commons.	John Kell's receipt as Sol. Gen'l Eastern dist. for bonds placed in his hands to collect for the state.	B. Franklin's receipt as Sol. Gen'l Oc-mulgee district, for bonds placed in his hands to collect for the state.
Remaining in	8 26	47079 17	22299 49	434 66	2706 50	4835 87	117,777 44
Received in p							
Add to the Bo	07	20 00	588 47	48 68			7028 67
Add this amo		47099 17	22887 96	483 35			
rented out	12	-	-	19 12			
Deduct from	5 46			434 23			
	8 31	191 37	5751 22	63 18	611 00		
Deduct these		46907 80		371 01	2095 50		
		46907 80		282 79	2095 50		52286 09
Deduct from							177092 21
							22533 49
	7 14		17136 73	88 25		4835 87	154,558 72

Dr.

Cr.

1814. } Speakers warrants, paid off and taken in at the Treasury  
 Nov. 6. } day, inclusive,—chargeable to the following accounts—  
 1815. }  
 Oct. 31. }

\$ 113 75  
 680 18  
 250 00  
 21,802 57  
 925 00  
 6,925 00  
 19,221 03  
 46,952 20  
 2,792 86  
 43,000 00  
 16,000 00  
 18,253 42  
 176,916 04  
 67,613 24  
 \$ 244,529 26

submitted by

GEORGE R. CLAYTON,  
 Treasurer.

1815. }  
 Oct. 31. }



# JOURNAL

OF THE

# SENATE

OF THE

# STATE OF GEORGIA.

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*Monday, 6th November, 1815.*

**A**T an annual session of the General Assembly of the State of Georgia, begun and held at the State-House in the town of Milledgeville, on Monday, the sixth day of November, in the year of our Lord one thousand eight hundred and fifteen, the following members elect, attended, nominated the Hon. H. Montgomery to the chair, produced their credentials, and the oath prescribed by the Constitution of this State being administered to them severally, by Myles Greene, Esq. Justice of the Inferior Court for the county of Baldwin—took their seats, viz:

From the county of Scriven—The Honorable James Blackman.

From the county of Bryan—The Honorable Andrew Bird.

From the county of Pulaski—The Hon. James Bracewell.

From the county of Burke—The Honorable William Byne. ~

From the county of Franklin—The Hon. Benjamin Cleveland. ~

From the county of Clarke—The Honorable Zadock Cook. ~

From the county of Washington—The Hon. Frederick Cullins.

From the county of Liberty—The Hon. John A. Cuthbert. ~

From the county of Madison—The Honorable Allen Daniel. ~

From the county of Lincoln—The Honorable John M. Dooly. ~

From the county of Montgomery—The Hon. Robert Flournoy.

From the county of Baldwin—The Hon. Frederick Freeman.

From the county of Jones—The Honorable Thomas Hamiltou.

From the county of Tatnall—The Hon. Martin Hardin.

From the county of Camden—The Honorable John Hardie.

From the county of Telfair—The Hon. William Harris.

From the county of Wilkinson—The Hon. John Hatcher.

From the county of Elbert—The Honorable David Hudson.

From the county of Oglethorpe—The Hon. George Hudspeth.

From the county of Wayne—The Hon. William A. Knight.

From the county of Putnam—The Hon. William D. Lane.

From the county of Jefferson—The Hon. Homer Virgil Milton. ~

From the county of Jasper—The Honorable John Moore.

From the county of Jackson—The Honorable Hugh Montgomery.



From the county of Warren—The Honorable Joeday Newson.

From the county of Glynn—The Honorable Samuel Piles.

From the county of Laurens—The Honorable Jacob Robinson.

From the county of Emanuel—The Hon. Stephen Swain.

From the county of Richmond—The Hon. Valentine Walker.

From the county of Morgan—The Honorable James Ware.

From the county of Bulloch—The Hon. Shepherd Williams.

From the county of Twiggs—The Hon. Ezekiel Wimberly.

From the county of Hancock—The Honorable William Rabun.

On motion,

The Chairman adjourned the members present 'till to-morrow morning, 11 o'clock.

**TUESDAY, November 7th, 1815.**

The Hon. George G. Nowlan, a member elect from the county of Effingham; the Hon. Thomas U. P. Charlton, a member elect from the county of Chatham; the Hon. Ezekiel E. Parke, a member elect from the county of Greene; the Hon. Matthew Talbot, a member elect from the county of Wilkes; and the Hon. Francis Hopkins, a member elect from the county of M'Intosh, attended, produced their several credentials, and the oath to support the Constitution of this State and the United States, being administered to them by the hon. Myles Greene, one of the Justices of the Inferior Court for the county of Baldwin, took their seats.

The Senate proceeded to the election of the President, and on counting out the ballots, it appeared that the Hon. William Rabun, was unanimously elected.

They then proceeded to the choice of their Secretary, and on counting out the ballots, it appeared that William Robertson, was duly elected.

They then proceeded to the choice of Messenger and Door-keeper, and on counting out the ballots it appeared that Henry Williams was duly elected Messenger, and Alexander Greene Door-keeper.

On motion of Mr. Daniel,

*Resolved*, That the Secretary inform the House of Representatives, that the Senate are organized, have made choice of the Hon. William Rabun their President, and William Robertson, Esq. their Secretary, and are ready to proceed to business.

On motion of Mr. Byne,

*Resolved*, That the rules of the Senate of the last session be adopted for the government of the present 'till altered.

A message from the House of Representatives, by Mr. Clayton, their Clerk.

*Mr. President,*

I am directed by the House of Representatives, to inform the Senate that they are now organized, having chosen the Hon. Benjamin Whitaker their Speaker, and Augustin S. Clayton, Esq. their Clerk, and are ready to proceed to business; and he withdrew.

On motion of Mr. Hardin,

*Resolved*, That a committee be appointed on the part of Senate to join such as may be appointed on the part of the House of Representatives, to wait on his Excellency the Governor, and inform him that the General Assembly are now organized.

Ordered, that Messrs. Hardin and Lane be the committee on the part of Senate.

A message from the House of Representatives, by Mr. Clayton their Clerk;

*Mr. President,*

The House of Representatives have concurred in the resolution from Senate, appointing a joint committee to wait on his Excellency the Governor, and have added a committee on their part—and he withdrew.

Mr. Hardin from the joint committee appointed to wait on His Excellency the Governor, reported that they had discharged that duty, and had received for answer, that His Excellency would lay his Communication before the Senate to-morrow morning at 10 o'clock.

Adjourned 'till 10 o'clock to-morrow morning.

**WEDNESDAY, November 8th, 1815.**

The Hon. John Foster, a member elect from the county of Columbia, attended, produced his credentials and the oath to support the Constitution of this State and the U. S. being administered to him by the President, took his seat.

On motion of Mr. Hudspeth,

*Resolved*, That a committee be appointed on the part of Senate to join such committee as may be appointed on the part of the House of Representatives, to compose a committee on Finance.

Ordered that Messrs. Hudspeth, Foster, Hopkin Milton and Hamilton be the committee on the part of Senate.

On motion of Mr. Hardin,

*Resolved*, That a committee be appointed on the part of Senate, to compose a joint committee on the State of the Republic.

Ordered, that Messrs. Hardin, Charlton, Cuthbert Parke, Montgomery, Cook, and Flournoy, be the committee on the part of Senate.

A message from his Excellency the Governor by Mr. Porter his Secretary :

*Mr. President,*

I am directed by his Excellency the Governor to lay before this branch of the Legislature his Communication—and he withdrew.

The Senate took up the message and the Communication being read, is as follows :

EXECUTIVE-DEPARTMENT, GEORGIA, 2  
MILLEDGEVILLE, 8th NOVEMBER, 1815.

*Fellow-Citizens of the Senate,  
and, House of Representatives.*

It is known to you all that since the Legislature were last in session, the war which was then waging against the American people, has been concluded by an honorable peace. Permit me to congratulate you on this event.—A nation whose habits and pursuits make it at all times their interest to be at peace with the rest of the world, and whose inclinations correspond with their interest, has just reason to be grateful to Heaven when they can enjoy that blessing. In the miserably distracted state of the world which has been witnessed for twenty-five years past, it is a miracle that we should have so long escaped the broil of war. And now after a short, and to us glorious struggle, the cloud has passed away, and we are basking in the sunshine of peace.

The subjects which appear proper to be communicated to the Legislature specially are not numerous. Such as have occurred during the recess, and fall within this description, will now be presented to your view.

Notwithstanding the large drafts which the occasions of the war have rendered necessary on the state Treasury, yet the amount of funds in that office at this time, nearly equals the amount of any former year.—This is justly attributable to the wise policy adopted by the Legislature, of adding 50 per centum to the state Tax for the purpose of reimbursing in part the amount of the Direct Tax assumed by the state to the United States. This year again, the quota of direct tax, tho' double the amount of the last year, has been settled from the proceeds of the sales of lands in the Mississippi Territory. In addition to the disbursements made under the appropriation of the last session for the erection of fortifications on the sea coast, there has been advanced to the Quarter-Master's department of the army of the United States, the sum of twenty thousand dollars, and to the Contractor for the army the sum of thirty thousand dollars. The first was specially authorised by the last Legislature ; but the second was drawn from the military fund after the enemy had invaded the state, at a period when the Contractor's department was utterly destitute of funds and unable to supply the troops in service without such aid.

Both these advances of twenty and thirty thousand dollars have, however, been recognized by the War Department, and their repayment assumed. The Executive has not long since been notified, that the funds were ready for their discharge at the City of Washington, and the necessary drafts have been transmitted there for that purpose. We have also good grounds for the expectation, that the expenditure for fortifications on the sea-coast will be reimbursed to us whenever the proper vouchers can be transmitted to the seat of Government.

The whole correspondence and documents relating to these subjects, will accompany this communication. It is proper further to mention, that divers smaller advances have at different periods been made, when they appeared indispensable for the promotion of the public service. These have been so guarded as to leave no doubt of their reimbursement.

The Legislature will have an opportunity to discover, from personal observation, the progress which has been made in the erection of the Penitentiary edifice. A report will in due time be laid before them from the Commissioners, detailing the expenditure of the monies appropriated for that object. It will be seen on inspection, that much of the interior work remains to be done ; and it is believed that a completion of the whole of the present building, including the necessary wall, cannot be reasonably calculated on earlier than the next meeting of the Legislature. The intervening time will afford an opportunity for revising and rendering more perfect the Penitentiary code. The introduction of a system of punishments entirely new in the state, and the accommodation of that system (in a certain degree necessary) to the existing state of society here, was a work in which it must reasonably be expected that many imperfections will be found on experiment. Some it is believed will be discovered on a revision, which require correction before the code goes into operation. The Legislature alone can direct the course proper to be pursued for the accomplishment of this object.

I have received a requisition from Major General Gaines of the United States army, for two thousand militia, to rendezvous at Fort Hawkins. The object of this requisition was, to have an effective force organized and in the field, sufficient as well to protect the Commissioners who are engaged in running the boundary line, as our own frontier, from any hostile menaces of the Creek Indians. I am sorry to say, that a compliance with this requisition has been much retarded by the system of electing officers for detachments : And had an immediate pressure been made by the enemy, we might have had reason to regret serious disasters to the Commissioners as well as our own frontier.

Whilst on this subject, I will again call the attention of the Legislature to the condition of the volunteer infantry and rifle companies. Of the latter in particular, there are many remnants through the state, who in

point of fact are complete exempts from the public service. The authority to consolidate them, given by the act of the last session, is inefficient, owing to their dispersed situation. Both descriptions ought, by law, to be thrown back into the line, and none suffered to remain in the character of volunteers any longer than they shall preserve their full complement of men.

There is one subject, to which it is believed to be important that the attention of the Legislature should be seriously directed, without delay. We have felt by fatal experience, the injurious effects of being overtaken by a state of war, without possessing the necessary means for prosecuting it. A state of peace is the proper period for providing and laying up those means.—The ample funds now at the command of the state, and the facility with which the proper arms, artillery and ammunition may be procured and transported, would appear so favourable to the purpose, that to neglect the opportunity, would leave the public councils inexcusable to the state. Experience too has taught us the kind of arms most efficient in the hands of an American soldier. These are rifles of the proper construction, and light artillery. Of muskets we have a considerable supply with their proper accoutrements; and this supply must annually increase by the operations of the act of Congress, of the 23d day of April, 1808.

In the present untoward state of the world, we are the only people on the globe, who can with truth call themselves free. This freedom so dear to us, we are bound by the most sacred ties to protect and preserve. "An armed nation is invincible." In proportion as we prize the great blessing, so are the inducements to transmit the same unimpaired to posterity. In proportion as the enmity or hostility of others may tempt them to assail it, so are our obligations of duty to be prepared to repel their efforts.

In reviewing our own blessings, it would afford consolation to every philanthropic mind, if profiting by the example of our condition, other nations would be wise enough to direct more of their energies towards the objects of true private and public happiness. But it would appear as if Heaven had, for a time, given up the nations of Europe to be scourged by their own madness. Even now, when he, whose ambition was considered there as the great destroyer of the peace of Empires, is no longer able to molest or destroy; the *improved condition* of Europe, is attested by the daily screams of millions, who dare not consider their houses or their homes. These scenes passing in actual review before the world, may contribute to make an American prize as he ought his own happiness. When we consider how apt a free people are to hold in too little estimation the high destiny to which Providence has conducted them, it is not impious to say, that *for us* is fortunate these things are so. The lesson may be salutary one; for although we might for a while prize as we ought our distinguished state of happiness, yet it

ought to be borne in constant recollection, that we are liable to shipwreck on the same rocks which have proven fatal to other republics. The scenes before us may serve to retard the catastrophe. There is, however, one advantage we possess over former republics, and indeed over every other nation, ancient or modern, which if properly improved, may save us to the end. Our people are better enlightened. This circumstance *will* save us, so long as it shall be properly appreciated. It is the pivot on which hangs the political salvation of the largest and fairest portion of the Globe. Who then can duly appreciate the value of those abundant sources of education which are spread over the union; or who can be insensible to the weighty duty imposed on each in his own sphere, of administering to their nurture and support?

Fellow-Citizens—Permit me to recommend to you harmony in your deliberations. If peradventure matters of discussion should arise, in which different opinions prevail, let not passion assume the empire of reason. The former is not the road which leads to the Temple of truth.

PETER EARLY.

Ordered that Documents No. 1 and 3, referred to in the Communication, be referred to the committee on Finance; that Document No. 2, be referred to the committee on the State of the Republic, and that Document No. 4, do lie on the table, together with the Communication.

On motion of Mr. Lane,

*Resolved*, That a committee be appointed on the part of Senate to compose a joint committee to contract for the public printing for the political year 1815.

Ordered that Messrs. Lane, Freeman and Walker be that committee on the part of Senate.

Mr. Freeman presented a memorial from a number of the inhabitants of the town of Milledgeville, praying a charter for a Bank in said town, which being read was referred to a special committee consisting of Messrs. Freeman, Daniel, Nowlan, Dooly and Lane.

On motion of Mr. Hudspeth,

*Resolved*, That the Senate will convene in the Representative Chamber on Thursday the 9th instant, at 11 o'clock in the forenoon, to elect the Governor of the state of Georgia agreeably to the Constitution.

On motion of Mr. Nowlan,

*Resolved*, That a committee be appointed on the part of Senate to form a joint committee on enrolment.

Ordered that Messrs. Nowlan, Newsom and Hamilton be the committee on the part of Senate.

On motion of Mr. Swain,

*Resolved*, that a committee on Privileges and Elections be appointed;

Ordered that Messrs. Swain, Byne and Hudson be that committee.

Mr. Charlton notifies the Senate that he will on tomorrow move for the appointment of a committee to re-

at a bill to establish and incorporate an Insurance Office in the city of Savannah, to be called the Marine and Fire Insurance company of the city of Savannah. A message from the House of Representatives by Mr. Clayton their Clerk:

*Mr. President,*

The House of Representatives have concurred in a resolution from Senate appointing to-morrow for the election of Governor.

In the joint resolution on the subject of printing.

In the joint resolution appointing a committee on the state of the Republic.

In the joint resolution appointing a committee on finance, and have added a committee on their part; and he withdrew.

Mr. Hardin gives notice that he will on Friday next move for the appointment of a committee to report a bill to revise and amend the militia law of this state, and to adapt the same to the militia law of the United States.

On motion of Mr. Swain,

*Resolved,* That a committee be appointed on Petitions.

Ordered that Messrs. Swain, Cullens, Hardie, Miles and Ware be that committee.

Mr. Foster presented a petition from Simon Mauzo, which was read and referred to a special committee consisting of Messrs. Foster, Talbot and Moore.

Adjourned 'till 10 o'clock to-morrow morning.

#### THURSDAY, 9th November, 1815.

Mr. Hudspeth presented a memorial from the Mayor and Aldermen of the City of Savannah, which was read and referred to a special committee, consisting of Messrs. Hudspeth, Cuthbert and Hardie, to report thereon by bill or otherwise.

Mr. Hardin gives notice that he will on Monday next, move for the appointment of a committee to take into consideration the most efficient method of improving the navigation of the several navigable water courses in this state.

Mr. Byne presented a petition from Abraham Greene, which was read and referred to the Inferior Court of Burke county.

Mr. Parke gives notice that he will after to-morrow, move for the appointment of a committee, to report a bill to alter the 15th section of the 4th article of the Constitution.

Mr. Charlton agreeably to notice, moved for the appointment of a committee to report a bill to establish an Insurance Company in the City of Savannah, &c.

Ordered, that Messrs. Charlton, Hopkins, Cuthbert, Cowlan and Bird be that committee.

A message from his Excellency the Governor by Mr. Porter, his Secretary.

*Mr. President,*

I am instructed by his Excellency the Governor, to

notify the Senate that he has approved of and signed the resolution, which originated in this branch of the Legislature, appointing this day at 11 o'clock in the forenoon for the election of Governor of the State—and he withdrew.

Mr. Flournoy gives notice that he will on to-morrow move for the appointment of a committee to report a bill to revise and amend the Estray-Laws.

Mr. Montgomery gives notice that he will on to-morrow, move for the appointment of a committee to report a bill to repeal the 4th, 5th, 6th and 7th sections of an act, to authorize the several Courts of Equity in this State, to grant remedies in certain cases and to regulate the Courts of Law and Equity in this State, and for affording temporary relief to the soldiers, whilst in the service of this state, or of the United States, and for other purposes.

Mr. Daniel gives notice, that he will after to-morrow move for the appointment of a committee to prepare and report a bill more effectually to improve the public roads in this state.

A message from the House of Representatives by Mr. Clayton their Clerk.

*Mr. President,*

I am directed by the House of Representatives to inform the Senate, that they are now ready to receive them in the Representative Chamber, for the purpose of proceeding to the Election of Governor of the State of Georgia, agreeably to a concurred resolution—and he withdrew.

Whereupon, the Senate repaired to the Representative Chamber, and being seated, proceeded to said election, and on counting-out the ballots, it appeared that General David B. Mitchell, was duly elected.

A message from the House of Representatives by Mr. Clayton their Clerk;

*M. President,*

I am directed by the House of Representatives to inform the Senate, that they have passed a resolution, appointing a committee to join such as may be appointed by the Senate, to notify the Governor elect of his election—and he withdrew.

The Senate took up the resolution, which being read, was concurred in, and added a committee on their part, consisting of Messrs. Hardin and Cook.

On motion,

Mr. Swain had leave of absence from to-morrow 12 o'clock, until Monday next 12 o'clock.

Mr. Hardin from the joint committee to wait on the Governor elect, reported that they had performed the duty assigned them, and received for answer, that he gratefully accepts the appointment, and that he will attend in the Representative chamber to-morrow, at 12 o'clock, for the purpose of taking the oath of office.

Adjourned 'till 10 o'clock to-morrow morning.

FRIDAY, 10th November, 1815.

Mr. Nowlan presented a petition from Christian Daster, which was read and referred to the committee on Finance.

On motion of Mr. Newsom,

*Resolved*, That a committee be appointed to see that the Journals of the Senate are correctly recorded during the present session.

Ordered that Messrs. Newsom, Robinson and Wimberly be that committee.

On motion of Mr. Hardin,

*Resolved*, That the committee appointed on the part of Senate to wait on his Excellency the Governor elect, be instructed (with the committee appointed on the part of the House of Representatives for that purpose,) to make the necessary arrangement for the inauguration of the Governor elect.

Mr. Freeman from the committee reported a bill to incorporate the Bank of Milledgeville, which was received and read the first time.

On motion of Mr. Charlton,

*Resolved*, That the Senate will convene in the Representative chamber on Monday next, at 12 o'clock, for the purpose of electing two State Directors of the Planters' Bank, a Harbor Master and Health Officer for the port of Savannah.

A message from the House of Representatives by Mr. Clayton their Clerk ;

*Mr. President*,

The House of Representatives have passed a resolution appointing a committee on their part to form a joint committee of enrolment ; and he withdrew.

The Senate took up the message and added on their part Messrs. Nowlan, Newsom and Hamilton.

Mr. Hopkins presented a memorial from Raymond P. Demere, Mary E. Demere and Francis A. Demere which was read and ordered with the accompanying Documents to be referred to the committee on Finance.

Mr. Parke presented a memorial from the trustees of the Powelton academy, which was read and referred to a special committee consisting of Messrs. Parke, Talbot and Charlton.

Mr. Cullens notifies the Senate that he will on Monday next, move for the appointment of a committee to report a bill to divorce Solomon Brown and Nancy his wife.

Mr. Montgomery agreeably to notice moves for the appointment of a committee to report a bill to repeal the 4th, 5th, 6th and 7th sections of an act to authorize the several Courts of Equity in this state to grant remedies in certain cases, &c.

Ordered that Messrs. Montgomery, Cook and Dooly be that committee.

Mr. Charlton presented a petition from James M<sup>r</sup>. Annally, which was read and referred to the committee on the State of the Republic.

Mr. Hardin laid on the table the following resolution ;

*Resolved*, That the Senate will convene in the Representative chamber on Monday next at 12 o'clock in order to elect the Secretary of State, Surveyor General, Treasurer and Comptroller General.

A message from the House of Representatives by Mr. Clayton their Clerk ;

*Mr. President*,

The House of Representatives have concurred in the resolution from Senate, making arrangements for the inauguration of the Governor elect—and he withdrew.

Mr. Wimberly gives notice that he will on Monday next, move for the appointment of a committee, to prepare and report a bill to divorce Matthew Wood and Mourning his wife.

Mr. Robinson gives notice that he will on Monday next, move for the appointment of a committee to prepare and report a bill to divorce William Graddy and Sally his wife.

Mr. Nowlan gives notice that he will on Monday next, move for the appointment of a committee to prepare and report a bill for the trial of offences committed by free persons of color.

Mr. Flournoy, agreeably to notice, moved for the appointment of a committee to report a bill to revise and amend the estray laws.

Ordered, that Messrs. Flournoy, Foster and Milton be that committee.

Mr. Cuthbert laid on the table the following resolution ;

*Resolved*, That a committee be appointed on the part of Senate, to join such as may be appointed on the part of the House of Representatives, to revise and amend the Criminal Code of the state, as adapted to the Penitentiary system, with power to report through the Governor to the General Assembly at the next Annual Session.

A message from the House of Representatives by Mr. Clayton their Clerk ;

*Mr. President*,

The House of Representatives have concurred in the resolution from Senate appointing Monday next for the election of two State Directors of the Planters' Bank, and a Harbor master and Health officer for the port of Savannah, with the following amendment, strike out "Monday" and insert "Saturday"—and he withdrew.

The Senate took up the message and the amendment was concurred in.

Mr. Daniel agreeably to notice moved for the appointment of a committee to prepare and report a bill more effectually to improve the public roads in this state.

Ordered, that Messrs. Daniel, Cleveland and Hatch be that committee.

A message from the House of Representatives by Mr. Clayton their Clerk.

*Mr. President*,

I am directed to inform the Senate, that the House



of Representatives are ready to receive them in the Representative chamber, for the purpose of inaugurating the Governor elect ;

The Senate attended accordingly, and both branches of the Legislature being seated ;

The oath prescribed by the Constitution was administered to his Excellency David B. Mitchell, Governor of the State of Georgia, by the President of Senate.

The Senate returned to their chamber—and Adjourned 'till 10 o'clock to-morrow morning.

### **SATURDAY, 11th November, 1815.**

Mr. Parke from the committee, reported a bill to incorporate the Academy in the village of Powelton, in the county of Hancock—which was received and read the first time.

Mr. Foster presented a petition from Notly Whitcomb, which was received, read and referred to a special committee, consisting of Messrs. Foster, Parke and Walker.

Mr. Moore presented a petition from William Stroud, which was read and referred to a special committee, consisting of Messrs. Moore, Bracewell and Milton.

Mr. Charlton notifies the Senate, that he will on Monday next, move for the appointment of a committee to report a bill to divorce Edmund Warren and Anna his wife.

Mr. Wimberly presented a petition from Henry Solomon, which was read and referred to the committee on Finance.

Mr. Hudspeth gives notice, that he will on Monday next, move for the appointment of a committee to prepare and report a bill, to amend an act, for the more effectually securing the probate of Wills, &c.

On motion of Mr. Lane,

*Resolved*, That the Senate will receive no future or further applications from individuals, nor pass any bills for divorces during the present session.

Ordered, that the said resolution do lie on the table.

Mr. Knight gives notice, that he will on Monday next, move for the appointment of a committee, to prepare and report a bill to repeal an act, authorizing William Scott, sen. to establish a toll on the road leading from Bulltown Swamp to Fort Barrington, in Camden county, &c.

Mr. Robinson gives notice, that he will on Tuesday next, move for the appointment of a committee to revise and amend the road laws of this state, so far as respects the county of Laurens.

Mr. Montgomery from the committee, reported a bill to repeal the 4th, 5th, 6th and 7th sections of an act, to authorize the Courts of Equity in this state to grant remedies in certain cases, &c. &c. —which was received and read the first time.

A message from the House of Representatives, by Mr. Clayton their Clerk.

*Mr. President*,

The House of Representatives have passed a resolution, appointing a committee on their part, to join such as may be appointed on the part of Senate, to prepare and report a bill to revise, amend and consolidate the militia laws of this state—and

A resolution appointing this day at 12 o'clock, for the election of a Secretary of State, Treasurer, Comptroller and Surveyor General, Harbour-master and Health officer for the Port of Savannah ; and two Directors for the Planters Bank, and two for the Augusta Bank, on behalf of this state—and he withdrew.

The Senate took up the message and concurred in the resolution, appointing a joint committee to revise the militia laws, and added a committee on their part, consisting of Messrs. Daniel, Byne, Walker, Milton and Freeman.

Ordered, that the resolution relating to elections, lie on the table.

On motion of Mr. Daniel,

*Resolved*, That both branches of the General Assembly will convene in the Representative chamber, on Monday next, at 1 o'clock, for the purpose of electing a Major General, for the first Division of the militia of this state, in lieu of Major General John M'Intosh resigned, and a Brigadier General for the first Brigade of the fifth Division, in lieu of Brigadier General William Lee, dec'd.

A message from his Excellency the Governor, by Mr. Porter his Secretary.

*Mr. President*,

I am directed by his Excellency the Governor, to lay before this branch of the Legislature, a Communication—and he withdrew.

The Senate took up the Communication, which being read, is as follows :

EXECUTIVE DEPARTMENT, GEORGIA, }  
MILLEDGEVILLE, 11th NOVEMBER, 1815. }

*To the Senate and House of Representatives.*

I transmit to the Legislature, a copy of a letter received at this Department from Major General M'Intosh, resigning his command. At the same time, it is proper for me to observe, that the death of the late Brigadier General Lee, has occasioned a vacancy in the Brigade of General Adams's Division, lately under his command.

Respectfully,

**D. B. MITCHELL.**

A message from the House of Representatives, by Mr. Clayton their Clerk ;

*Mr. President*,

The House of Representatives have concurred in the resolution from Senate, appointing Monday next,

at 1 o'clock, for the purpose of electing a Major General for the first Division of the militia of this state ; and a Brigadier General for the first Brigade of the fifth Division of the militia of this state, with amendments, strike out " Monday at 1 o'clock " and insert " Wednesday at 12 o'clock "—and he withdrew.

The Senate took up the message, and the amendments to the resolution were disagreed to.

A message from his Excellency the Governor, by *Mr. Porter* his Secretary.

*Mr. President,*

I am instructed by his Excellency the Governor, to notify the Senate that he has approved of and signed a resolution, appointing this day at 12 o'clock, for the election of two state directors of the Planters' Bank, a Harbour-master and Health officer for the Port of Savannah—and he withdrew.

The bill to incorporate the Bank of Milledgeville, was taken up and read the 2nd time.

Ordered for a committee of the whole.

A message from the House of Representatives, by *Mr. Clayton* their Clerk.

*Mr. President,*

The House of Representatives have receded from their amendments made to the resolution, appointing Monday next, for the election of Major and Brigadier Generals, and do concur with Senate in the original resolution—and he withdrew.

A message from the House of Representatives, by *Mr. Clayton* their Clerk.

*Mr. President,*

I am directed to inform the Senate, that the House of Representatives are now ready to receive them in the Representative chamber, for the purpose of electing two State Directors of the Planters' Bank and Health officer and Harbour master for the Port of Savannah—and he withdrew.

Whereupon, the Senate repaired to the Representative chamber, and being seated, proceeded to said elections, and on counting out the votes, it appeared that Charles Harris and Isaac Minis, esquires, were duly elected State Directors for the Planters' Bank of Georgia, Dr. Geo. V. Proctor, Health officer, and Robert Greer, esq. Harbour master for the Port of Savannah.

The Senate then returned to their chamber and took their seats.

Adjourned 'till 10 o'clock Monday morning.

### MONDAY, 13th November, 1815.

Agreeably to notice, *Mr. Cullens* moved for a committee to prepare and report a bill to be entitled an act, to divorce Solomon Brown and Nancy his wife.

Ordered that Messrs. Cullens, Harris and Blackman be that committee.

*Mr. Freeman* presented a communication from G.

*R. Clayton, Esquire, Treasurer*, inclosing an abstract of the Treasury.

Ordered that the communication and abstract be referred to the committee on Finance.

*Mr. Swain* from the committee on Privileges and Elections,

*Reported*, which was read and ordered to lie on the table.

*Mr. Foster* introduced from the committee appointed for that purpose, a bill to be entitled an act, to emancipate and set free Abram Mauzo, jun. a person of color, which was read the first time.

*Mr. Knight* agreeably to notice moved for a committee to prepare and report a bill to repeal an act passed December the 6th 1813, authorising William Scott, sen. of Camden county, to establish a toll on the road leading from Bull town Swamp, to fort Barrington on the Alatomaha, through M'Intosh county, and to appoint commissioners to lay out said road, with power to carry the same into effect.

Ordered that Messrs. Knight, Hopkins, and Hardie, be that committee.

*Mr. Robinson* agreeably to notice moved for a committee to prepare and report a bill to divorce William Graddy and Sally his wife.

Ordered that Messrs. Robinson, Wimberly and Dooley be that committee.

*Mr. Lane* notified the Senate that he will on Wednesday next, move for a committee to be appointed to prepare and report a bill to divorce Samuel Berry and Nancy his wife.

*Mr. Hopkins* presented a petition from James Pelot of M'Intosh county, which being read was ordered to lie on the table.

*Mr. Nowlan* agreeably to notice moved for a committee to prepare and report a bill for the trial of offences committed by free persons of color.

Ordered that Messrs. Nowlan, Charlton and Milton be that committee.

On motion of *Mr. Lane*,

*Resolved*, That a committee be appointed on the part of Senate, to join such committee as may be appointed on the part of the House of Representatives, to take into consideration and report on the conduct of the Directors of the Bank of Augusta, in their refusal to pay specie for bills issued by them when presented for payment, and whether the conduct of the said Directory has not amounted to a forfeiture of the charter of incorporation, establishing and creating said Bank ;

Ordered that Messrs. Lane, Foster and Parke be the committee on the part of Senate.

*Mr. Charlton* presented a memorial from the hon. William Stephens, which was read and referred to a special committee.

Ordered that Messrs. Charlton, Foster and Flournoy be that committee.

On motion of *Mr. Flournoy*,

*Resolved*, That the Comptroller General be requested to state to the Senate the whole amount of the outstanding evidences of the Public Debt, of every description, as soon as convenient.

A message from the House of Representatives by Mr. Clayton their Clerk ;

*Mr. President*,

The House of Representatives have passed the following resolutions, to which they desire concurrence.

A resolution appointing Scott Cray and Joshua A. Coffee Vendue masters for the town of Darien and county of M'Intosh.

A resolution appointing Reuben Burroughs a Lumber measurer for the town of Darien.

A resolution appointing Thomas M. Berrien a Notary Public for the county of Jefferson.

A resolution appointing James Frazer and Thomas Barrett Vendue masters for the city of Augusta for the ensuing two years.

A resolution appointing Bedney Franklin a commissioner of the Morgan county academy.

A resolution confirming the Executive appointment of Nicholas Long as commissioner of the academy of and town of Washington.

A resolution appointing Peter Coan and Richard Keating Lumber measurers for the town of Hardwick in Bryan county.

A resolution appointing William Greene, Elias Wallen and Charles W. Roberts Lumber measurers for the port of Savannah.

A resolution appointing David D. Dunn and John Moore trustees of Meson academy.

A resolution appointing Robert Paxton a Lumber measurer for the county of Camden—and

A resolution appointing Thomas H. Kenan, a Notary Public for the City of Milledgeville and county of Baldwin—and he withdrew.

The Senate took up the message and the said several resolutions being read, were respectively concurred in.

The bill to be entitled an act to incorporate an academy in the village of Powelton in Hancock county ;

The bill to alter the mode of holding the Mayor's courts in the city of Savannah and to increase the jurisdiction thereof—and

The bill to be entitled an act to repeal the 4th, 5th, 6th and 7th sections of the act to authorize the Courts of Equity in this state to grant remedies in certain cases, &c. were taken up and severally read the 2d time and ordered for committee of the whole.

Mr. Knight notified the Senate that he will on tomorrow move for a committee to be appointed, to prepare and report a bill to compel all persons not residing in the counties of Glynn, Wayne and Camden, claiming lands within said counties that were run previous to the year eighteen hundred, to resurvey and new mark out their lines within one year after the passing of this act.

Mr. Wimberly agreeably to notice moved for a committee to prepare and report a bill to divorce Matheo Wood and Mourning his wife.

Ordered that Messrs. Wimberly, Cullens and Brace well be that committee.

Mr. Hudspeth agreeably to notice moved for a committee to prepare and report a bill to be entitled an act to amend an act, entitled an act, for the more effectually securing the probate of Wills, limiting the time for executors to qualify and widows to make their election and for other purposes therein mentioned ;

Ordered that Messrs. Hudspeth, Foster and Cuthbert be that committee.

Agreeably to notice Mr. Charlton moved for a committee to prepare and report a bill to be entitled an act to divorce Edmund Warren and Anna his wife.

Ordered that Messrs. Charlton, Nowlan and Birbe be that committee.

Mr. Piles presented a petition from George Baillic which was read and referred to a special committee consisting of Messrs. Piles, Knight and Hopkins.

The Senate resolved itself into a committee of the whole, on the bill to alter the mode of holding the Mayor's courts in the city of Savannah, and to increase the jurisdiction thereof—Mr. Cook in the chair—Mr. President resumed the chair, and Mr. Cook reported that they had gone thro' the same with an amendment.

The Senate took up the report and the amendment was agreed to, and the said bill ordered for a third reading.

Mr. Foster from the committee reported a bill to authorize Notley Whitcomb to build a merchant mill which was received and read the first time.

On motion of Mr. Byne,

*Resolved*, That the Executive appointment of John Milton as commissioner of the academy of Burke county in the place of Amos Whitehead, dec'd. be, and the same is hereby confirmed.

Mr. Flournoy agreeably to notice moved for the appointment of a committee to prepare and report a bill to revise and amend the estray laws.

Ordered that Messrs. Flournoy, Foster and Milto be that committee.

On motion of Mr. Freeman,

*Resolved*, That Alexander Greene and Harris Allen be, and they are hereby appointed Vendue masters for the town of Milledgeville.

On motion of Mr. Charlton,

*Resolved*, That William Belcher, Moses Herber Archibald Campbell M'Intyre and Lewis Johnson be and they are hereby appointed Notaries Public for the city of Savannah and county of Chatham.

Mr. Cleveland gives notice that he will on Wednesday next, move for the appointment of a committee to prepare and report a bill to authorize the Adjutant General of this state to employ a Deputy, &c.

Mr. Parke agreeably to notice moves for the appointment of a committee, to prepare and report a bill



to alter the 15th section of the 4th article of the constitution.

Ordered that *Messrs.* Parke, Cook, Flournoy, Charlton and Walker be that committee.

On motion of *Mr.* Hardin,

*Resolved*, That a committee be appointed on the part of Senate, to join such as may be appointed on the part of the House of Representatives, to take into consideration the most efficient method of improving the navigation of the several navigable water courses in this state.

Ordered, that *Messrs.* Hardin, Dooly, Freeman, Hamilton, Cleveland and Moore, be the committee on the part of Senate.

*Mr.* Nowlan, from the committee, reported a bill to point out the mode of trial of offences committed by free persons of color, which was received and read the first time.

A message from his Excellency the Governor, by *Mr.* Porter, his Secretary.

*Mr. President*,

His Excellency the Governor has approved of and signed a resolution, which originated in this branch of the Legislature, appointing this day at 10 o'clock, for the election of a Major General of the first Division of the militia of this state, in the place of Major General John M'Intosh resigned, and a Brigadier General of the first Brigade of the fifth Division of the militia of this state, in place of Brigadier General William Lee, deceased—and he withdrew.

A message from the House of Representatives, by *Mr.* Clayton, their Clerk.

*Mr. President*,

I am directed to inform the Senate that the House of Representatives are now ready to receive them in the Representative chamber, for the purpose of electing a Major General for the first Division, and a Brigadier General for the first Brigade of the fifth Division of the Georgia militia—and he withdrew.

Whereupon the Senate repaired to the Representative chamber and being seated, proceeded to said elections, and on counting out the votes, it appeared that Brigadier General John Floyd was duly elected Major General of the first Division of the militia of this state, and Col. Thomas P. Hamilton Brigadier General of the first Brigade of the fifth Division of the militia of this state.

The Senate then returned to their chamber.

On motion of *Mr.* Hudspeth,

*Mr.* Talbot was added to the committee on Finance.

Adjourned 'till 10 o'clock to-morrow morning.

*Mr. President*,

The House of Representatives have passed a resolution appointing this day at 1 o'clock, for the election of a Brigadier General of the first Division of the first Brigade of the militia of this state, in place of Brigadier General John Floyd, promoted—and he withdrew.

The Senate took up, and disagreed to the resolution.

On motion of *Mr.* Daniel,

*Resolved*, That both branches of the General Assembly will convene in the Representative chamber on Saturday the 18th instant at 12 o'clock, for the purpose of electing a Brigadier General for the first Brigade of the first Division of the militia of this state, in lieu of Brigadier General Floyd, promoted—The Secretary of State, Treasurer, Comptroller General and Surveyor General of this state.

The Senate took up the report on Privileges and Elections, and amended the same to read as follows :

The committee on Privileges and Elections,

*Report*, That they have had under consideration and examined the several election returns laid before them, and find them in due form, according to the law regulating the General Elections for members of the General Assembly of this state.

*Mr.* Nowlan presented a petition from Christian Dasher, a Soldier in the American Revolution, under the command of Major General Wayne, which being read, was referred to a select committee, consisting of *Messrs.* Nowlan, Montgomery and Robinson.

*Mr.* Knight agreeably to notice, moved for a committee to be appointed to prepare and report a bill to compel all persons not residing in the counties of Glynn, Wayne and Camden, claiming lands within said counties, run previous to the year 1800, to resurvey and new mark out their lines, &c.

Ordered that *Messrs.* Knight, Hardin and Piles be that committee.

*Mr.* Cook presented a memorial from Wilson Strickland, which being read was referred to a special committee.

Ordered that *Messrs.* Cook, Cleveland, Montgomery, Daniel and Hudson be that committee.

*Mr.* Piles presented the following resolution, which was read and ordered to lie on the table, to wit :

Whereas it is well known in this state and in the U. States, that in the invasion of the Eastern District thereof by the late enemy, their mode of warfare was more particularly directed to depredation on property and seduction of negroes, than to the more brilliant, tho' less profitable views of honorable conquest and military glory ; and it is also manifest to the world that, by promises and specious pretences of protection and liberty, they have seduced and carried off from the Eastern district of this state, nearly one thousand negroes, men, women and children. And whereas the government of the United States did send to Bermuda an agent for the recovery of the said negroes, under an

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TUESDAY, 14th November, 1815.

A message from the House of Representatives by *Mr.* Clayton their Clerk ;

article of the late treaty of peace; the vigilance, talents and exertion of which agent were unable to obtain the object desired, but assured him of the obstinate injustice of the enemy, in their determination to retain the said negroes; locate them in the barren and frozen wilds of Nova Scotia, to which province it is now ascertained that the said negroes, with others plundered on the southern coast, have been transported.

And whereas, it is believed from good authority, that the British, tired of the burthen of feeding and clothing the negroes thus seduced, have allowed them since their arrival in the province aforesaid, to travel and remove to the southward thereof; and have aided in such removal, as fast as possible; through which means, the negroes aforesaid, or many of them, are said to have returned to the United States, and are now living in some of the Northern States, where slavery is not permitted by the municipal laws; and where the said negroes may receive shelter and protection, unless application be made for their surrender, in a more special formal manner than by individual claim;

It is therefore resolved by the Senate and House of Representatives of the State of Georgia, in General Assembly met, that His Excellency the Governor of this state be, and he is hereby requested to communicate with the Executives of the Eastern States, in which he may be informed that any of the aforesaid negroes are received; and endeavor to obtain, at their recommendation, some Legislative provisions for the easy restoration of such slaves to their owners, on due proof being made that the said negroes left the state with the late enemy. And also to communicate to the said Executives the sensibility of this Legislature on the subject of this resolution; and the expectations of this state, that her sister states will promptly and generously aid in the surrender of such negroes, as a wholesome example for the future, and as a partial relief to the unfortunate sufferers; as these principles exercised on this occasion would not interfere with their other general laws on the subject of slavery, it not being to be doubted, that, no faith will be violated by the delivery of negroes enabled to resort to the Eastern states by the force or fraud of the late enemy.

Mr. Charlton presented a bill to be entitled an act, to establish and incorporate an Insurance Company in the City of Savannah, to be called the Marine and Fire Insurance Company of the City of Savannah—which was read the first time.

Mr. Robinson agreeably to notice, moved for a committee to prepare and report a bill to be entitled an act, to revise and amend the road laws of this state, so far as respects the county of Laurens.

Ordered, that Messrs. Robinson, Hatcher and Bracewell, be that committee.

The bill to be entitled an act, to point out the mode of trial of offences committed by free persons of color, was taken up and read the 2nd time—and

Ordered for a third reading.

The bill, to be entitled an act, to authorize Nottly Whitcomb, to build a merchant mill, was taken up and read the second time—and

Ordered for a committee of the whole.

The bill to emancipate and set free Abraham Mauzo, jun. a person of color, was read the second time—and

Ordered for a committee of the whole.

The bill to be entitled an act, to alter the mode of holding the Mayor's court in the City of Savannah, and to increase the jurisdiction thereof; was taken up and read the third time; and on the question, shall this bill now pass? It was determined in the affirmative.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to incorporate a Bank in the town of Milledgeville—Mr. Foster in the chair—Mr. President resumed the chair, and Mr. Foster reported progress and had leave to sit again.

Mr. Robinson from the committee, reported a bill to divorce William Graddy and Sally his wife, which was read the first time.

Mr. Charlton from the committee, reported a bill to divorce Edmund Warren and Anna his wife, which was read the first time.

Mr. Wimberly from the the committee, reported a bill to divorce Matthew Wood and Mourning his wife, which was read the first time.

Mr. Hudspeth from the committee, reported a bill to amend an act, for the more effectually securing the probate of wills, &c. which was read the first time.

Mr. Freeman gives notice, that he will on to-morrow move for the appointment of a committee, to prepare and report a bill to amend an act, to establish the salaries of the public officers of this state for the political years 1808 and 1809, and from thence until the same shall be repealed, &c.

Mr. Newsom gives notice that he will on to-morrow, move for the appointment of a committee, to prepare and report a bill to be entitled an act, to revise, amend and consolidate the patrol laws of this state.

On motion of Mr. Hudson.

*Resolved*, That his Excellency the Governor be requested to inform the General Assembly, what measures have been taken to carry into effect a resolution, passed on the 2nd December, 1812, authorizing him to direct the Solicitor General of the Eastern District, to investigate the claim of the state to certain land purchased in the month of November 1810, by the counties of Elbert, Jackson, Clark, Morgan, Putnam, Laurens, Montgomery, Bulloch, Randolph (now Jasper) and Scriven.

A message from the House of Representatives by Mr. Clayton their Clerk;

*Mr. President,*

The House of Representatives have passed a bill, for the relief of Tax Collectors of this state.

They have passed a resolution appointing a committee on their part to join such as may be appointed on the part of Senate, to ascertain what mode would be

most beneficial to dispose of the tract of country lately acquired by the United States commissioners from the Creek Indians, &c.

A resolution appointing a commissioner of Sunbury Academy—and

A resolution appointing commissioners of the Camden county Academy—and he withdrew.

The Senate took up the message, and the said bill was read the first time; and the resolutions appointing commissioners of the Camden county and Sunbury Academies, were severally concurred in.

Ordered that the remainder of said message do lie on the table.

Adjourned 'till 10 o'clock to-morrow morning.

### WEDNESDAY, November 15th, 1815.

On motion of Mr. Daniel,

The Journal of yesterday so far as respects the appointment of Saturday next at 12 o'clock for the election of a Brigadier General, &c. was reconsidered.

The Senate took up the resolution and the same being read, Mr. Daniel offered the following as a substitute, which was agreed to, to wit:

*Resolved*, That both branches of the General Assembly will convene in the Representative chamber on this day at 1 o'clock for the purpose of electing a Brigadier General for the first Brigade of the first Division of the militia of this state, in lieu of Brigadier General John Floyd promoted.

And be it further resolved, that both branches of the General Assembly will convene in the Representative chamber on Wednesday the 22d inst. at 12 o'clock, for the purpose of electing a Secretary of State, Treasurer, Surveyor and Comptroller Generals.

Mr. Cullens from the committee reported a bill to divorce Nancy Brown and Solomon Brown her husband, which was received and read the first time.

Mr. Newsom presented a memorial from the Inferior court of Warren county, which was read and referred to a special committee, consisting of Messrs. Newsom, Montgomery and Charlton.

The committee to whom was referred the petition of William Stroud, a wounded soldier, beg leave to

Report, that they have taken the hard case of the petitioner under consideration and are of opinion that he ought to be allowed the sum of fifty dollars as subsistence for one year, and that said sum be made part of the appropriation for the year 1816.

Mr. Piles from the committee reported on the petition of George Bailie, which was read and ordered to lie on the table.

On motion of Mr. Flournoy,

*Resolved*, That during the indisposition of William Robertson, Esquire, Secretary of this Senate, that John H. Mann be, and he is hereby appointed to discharge

the duties of that station as Secretary *pro tem.* and that the House of Representatives be notified thereof.

A message from the House of Representatives by Mr. Clayton their Clerk;

*Mr. President*,

The House of Representatives have passed a resolution appointing a committee on their part to join such as may be appointed by Senate, to enquire into and determine on the due and proper course to be pursued on the subject of the decision of the Judges of the Superior courts on the alleviating law—and

A resolution adding Mr. Luckey to the joint committee on Finance.

They have concurred in the following resolution from Senate, and have added committees on their part, to wit:

A resolution on the subject of improving the navigation of the several navigable water courses of this state—and

A resolution on the subject of investigating the conduct of the Directors of the Bank of Augusta.

They have concurred in the resolution appointing Vendue-masters for the town of Milledgeville.

A resolution appointing Notaries Public for the city of Savannah and county of Chatham—and

A resolution confirming the Executive appointment of a commissioner of the Burke county academy.

A resolution on the subject of the election of a Brigadier General—and he withdrew.

Ordered that the said message do lie on the table.

Mr. Charlton presented a petition from Leah Jones, and a petition from James M'Conkey, which were read and referred to a select committee consisting of Messrs. Charlton, Nowlan and Milton.

Mr. Lane from the joint committee to contract for printing, reported, which was ordered to lie on the table.

A message from his Excellency the Governor by Mr. Porter his Secretary:

*Mr. President*,

I am instructed by his Excellency the Governor to notify the Senate, that he has approved of and signed a resolution appointing this day at 1 o'clock for the Senate to convene in the Representative chamber for the purpose of electing a Brigadier General of the 1st Brigade of the 1st Division, vice Gen. John Floyd, promoted, and on Wednesday next, for the election of Secretary of State, Treasurer, Surveyor and Comptroller Generals—and he withdrew.

Mr. Newsom agreeably to notice moved for the appointment of a committee to prepare and report a bill to revise, amend and consolidate the several patrol laws of this state.

Ordered that Messrs. Newsom, Lane, Hamilton, Hardin and Bird be that committee.

Mr. Freeman agreeably to notice moved for the appointment of a committee to prepare and report a bill to

amend an act to establish the salaries of public officers, &c.

Ordered that Messrs. Freeman, Flournoy and Foster be that committee.

Mr. Cleveland agreeably to notice moved for the appointment of a committee to prepare and report a bill to authorize the Adjutant General of this state to employ a Deputy, &c.

Ordered that Messrs. Cleveland, Parke and Hopkins be that committee.

Mr. Lane agreeably to notice moved for the appointment of a committee to prepare and report a bill to divorce Samuel Berry and Nancy his wife.

Ordered that Messrs. Lane, Cullens and Hatcher be that committee.

The following bills were severally read the 2d time—and

Ordered for committee of the whole, to wit :

A bill for the relief of Tax Collectors of this state.

A bill to amend an act more effectually to secure the probate of Wills, &c.

A bill to establish and incorporate an Insurance Company in the city of Savannah.

A bill to divorce and separate Mathew Wood and Mourning his wife—and

A bill to divorce Edmund Warren and Anna his wife—and

The bill to divorce William Graddy and Sally his wife, was read the 2d time, and on the question shall this bill stand for committee in June next, it was determined in the negative, and the yeas and nays being required, are yeas 13—nays 25.

Those who voted in the affirmative are Messrs.

Blackman,	Harris,
Byrd,	Hatcher,
Byne,	Hudson,
Cook,	Hudspeth,
Daniel,	Montgomery, and
Dooly,	Ware.
Foster,	

Those who voted in the negative are Messrs.

Bracewell,	Milton,
Charlton,	Moore,
Cleveland,	Newsom,
Cullens,	Nowlan,
Cuthbert,	Parke,
Flournoy,	Piles,
Freeman,	Robinson,
Hamilton,	Swain,
Hardin,	Talbot,
Hardie,	Walker,
Hopkins,	Williams, and
Knight,	Wimberly.
Lane,	

The bill to point out the mode for the trial of offences committed by free persons of color, was read the third time and passed.

The Senate resolved itself into a committee of the

whole, on the bill to divorce William Graddy and Sally his wife—Mr. Nowlan in the chair—Mr. President resumed the chair, and Mr. Nowlan reported that they had gone thro' the bill without any amendment.

Ordered that the report lie on the table.

The Senate resolved itself into a committee of the whole, on the bill to authorize Notly Whitcomb to build a merchant mill—Mr. Freeman in the chair—Mr. President resumed the chair, and Mr. Freeman reported progress and had leave to sit again.

The Senate resolved itself into a committee of the whole, on the bill to incorporate an academy in the village of Powelton in Hancock county—Mr. Montgomery in the chair—Mr. President resumed the chair, and Mr. Montgomery reported that they had gone thro' the bill without any amendment.

The Senate took up and agreed to the report with amendments.

Whereupon the said bill was read the third time and passed.

A message from the House of Representatives by Mr. Clayton their Clerk ;

*Mr. President,*

The House of Representatives are now ready to receive the Senate in the Representative chamber, for the purpose of electing a Brigadier General for the first Brigade of the first Division of the militia of this state, in place of Brigadier General John Floyd promoted—and he withdrew.

Whereupon the Senate repaired to the Representative chamber, and being seated, proceeded by joint ballot to said election ; and on counting out the votes it appeared that major Francis Hopkins was duly elected.

The Senate then returned to their chamber—and Adjourned 'till 10 o'clock to-morrow morning.

#### THURSDAY, 16th November, 1845.

Mr. Nowlan from the committee, reported a bill for the relief of Christian Dasher, which was received and read the first time.

Mr. Freeman from the committee, reported a bill to amend an act, to establish the salaries of public officers of this state, &c. which was received and read the first time.

Mr. Moore presented a petition from George Lez and Joel M'Lendon, which was read and referred to a special committee, consisting of Messrs. Moore, Hudspeth and Ware.

Mr. Hardin presented a communication from the trustees of the University of Georgia, which was read and referred to the committee on the state of the Republic.

Mr. Robinson from the committee, reported a bill to revise and amend the road laws of this state, so far as respects the county of Laurens, which was received and read the first time.

Mr. Knight from the committee, reported a bill to repeal an act, to authorize William Scott, sen. to erect toll, &c. which was read the first time.

Mr. Bracewell gives notice, that he will on to-morrow, move for the appointment of a committee to report a bill to authorize the Inferior court of Pulaski county, to levy an extra tax, &c.

A message from the House of Representatives, by Mr. Clayton their Clerk.

*Mr. President,*

The House of Representatives have passed a bill to divorce Sally Martin and Joseph John Martin; and Polly Rayston and John Rayston—and he withdrew.

The Senate took up & read the said bill the first time.

The Senate resolved itself into a committee of the whole, on the bill to establish and incorporate an Insurance Company in the city of Savannah to be called the Marine and Fire Insurance Company of the city of Savannah—Mr. Parke in the chair—Mr. President resumed the chair, and Mr. Parke reported that they had gone thro' the bill with amendments.

The Senate took up and agreed to the report,

Whereupon, the said bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to emancipate and set free Abraham Mauzo, jun.—Mr. Byne in the chair—Mr. President resumed the chair, and Mr. Byne reported that they had gone thro' the same without any amendment.

The Senate took up and agreed to the said report, and the bill was read the third time, and on the question, shall this bill now pass? It was determined in the negative, and the yeas and nays being required, are yeas 12—nays 25.

Those who voted in the affirmative, are Messrs.

Blackman,	Lane,
Charlton,	Moore,
Cullens,	Montgomery,
Flournoy,	Swain,
Foster,	Talbot, and
Hardie,	Ware.

Those who vote in the negative, are Messrs:

Bird,	Hopkins,
Bracewell,	Hudson,
Byne,	Hudspeth,
Cleveland,	Knight,
Cook,	Milton,
Cuthbert,	Newsom,
Daniel,	Nowlan,
Dooley,	Park,
Freeman,	Piles,
Hamilton,	Robinson,
Hardin,	Walker and
Harris,	Wimberly.
Hatcher,	

The Senate again resolved itself into a committee of the whole, on the bill to authorize Notly Whitcombe to build a merchant mill—Mr. Daniel in the chair—

Mr. President resumed the chair, and Mr. Daniel reported, that the further consideration of said bill be postponed 'till June next.

The Senate took up the report, which was read and ordered to lie on the table.

The Senate again resolved itself into a committee of the whole, on the bill to incorporate the Bank of Milledgeville—Mr. Foster in the chair—Mr. President resumed the chair, and Mr. Foster reported progress and had leave to sit again.

The Senate again resolved itself into a committee of the whole, on the bill to repeal the 4th, 5th, 6th and 7th sections of an act, to authorize Courts of Equity to grant remedies in certain cases &c. Mr. President resumed the chair, and Mr. Hudspeth from the committee, reported progress and had leave to sit again.

The Senate resolved itself into a committee of the whole, on the bill for the relief of Tax Collectors of this state—Mr. President resumed the chair, and Mr. Newsom from the committee reported that they had gone thro' the same without any amendment.

The Senate took up the report, which was amended and ordered to lie on the table.

The Senate resolved itself into a committee of the whole, on the bill to amend an act, for the more effectually securing the probate of wills, &c.—Mr. President resumed the chair, and Mr. Swain from the committee, reported that they had gone thro' the same without any amendment.

Ordered, that the report do lie on the table.

The Senate took up the resolution from the House of Representatives on the subject matter of appointing a joint committee, to enquire into the conduct of the Judges of the Superior courts, &c.

Mr. Nowlan moved to disagree to a joint committee; and on the question to agree to the same, it was lost.

Mr. Cook then proposed to amend the resolution to read as follows, to wit:

*Resolved,* That a committee be appointed on the part of this House to join such as may be appointed by Senate to prepare and report an address to his Excellency the Governor, for the purpose of removing from office John M'Pherson Berrien, Judge of the Superior court of the Eastern circuit, Robert Walker, Judge of the Superior court of the Middle Circuit, Young Gresham, Judge of the Superior court of the Western Circuit, and Stephen W. Harris, Judge of the Superior court of the Ocmulgee Circuit, for usurping a power not given them by the Constitution of this state, in declaring certain acts of the Legislature unconstitutional, at a convention held at Augusta on the 13th January, 1815, as well as subsequent extra Judicial proceedings, and on the question to agree to the same, the yeas and nays being required are yeas 19—nays 19.

Those who voted in the affirmative are Messrs:

Bracewell,	Cullens,
Cleveland,	Daniel,
Cook,	Dooley,

Foster,  
Hatcher,  
Hopkins,  
Hudspeth,  
Knight,  
Lane,  
Moore,

Montgomery,  
Newsom,  
Robinson,  
Swain,  
Williams and  
Wimberly.

Those who voted in the negative are messrs.

Blackman,  
Byrd,  
Byne,  
Charlton,  
Cuthbert,  
Flournoy,  
Freeman,  
Hamilton,  
Hardin,  
Hardie,

Harris,  
Hudson,  
Milton,  
Nowlan,  
Parke,  
Piles,  
Talbot,  
Walker and  
Ware.

There being a tie the President decided in the negative.

Ordered that the said resolution from the House of Representatives lie on the table.

Mr. Foster gives notice that he will on to-morrow move for the appointment of a committee, to prepare and report a bill to compel the Clerks of the Courts of Ordinary in this state, to give security.

Adjourned 'till 10 o'clock to-morrow morning.

### FRIDAY, 17th November, 1815.

Mr. Parke from the committee, reported a bill to alter the 15th section of the 4th article of the constitution, which was received and read the first time.

Mr. Charlton from the committee, reported a bill to authorize Leah Jones and Elizabeth M'Conky, to trade as femmes sole and free dealers, which was received and read the first time.

Mr. Moore from the committee, reported as follows, which was read and agreed to, to wit :

The committee to whom was referred the petition of George Lea and Joel M'Clendon, beg leave to report, that they have taken the prayer of the petitioners under consideration, and find no document to prove that the said petitioners have not been paid ; they therefore recommend that the prayer of the petitioners be rejected.

Mr. Knight presented a petition from a number of the inhabitants of Glynn county, which was read and referred to the committee on Petitions.

On motion of Mr. Hopkins,

Mr. Charlton was added to the committee to revise the militia law.

Mr. Cleveland from the committee, reported a bill to authorize the Adjutant General of this state to appoint an assistant, which was read the first time.

Mr. Charlton gives notice that he will on to-morrow, move for leave to report a bill to incorporate a Bank to

Ec.

be called the Bank of the State of Georgia.

Mr. Hudspeth from the joint committee on Finance reported as follows, which was read and agreed to, to wit :

The joint committee on Finance, to whom was referred the Treasurer's Abstract and statement of receipts into, and payments from the Treasury, during the political year 1815, beg leave to report ;

That they have carefully examined the same and find them correct, and to agree with the books of the Treasury in every particular ; and further, that said books appear to be fairly and accurately kept ; and that all the enquiries of the committee relative to the business of the office of the Treasurer, have been satisfactorily answered by that officer.

On motion of Mr. Cook,

*Resolved*, That George G. Gaines, be and he is hereby appointed Vendue-master for the town of Darien.

Mr. Charlton gives notice, that he will to-morrow move for the appointment of a committee, to prepare and report a bill to vest the election of Harbor master and Health officer of the city and port of Savannah, in the Mayor and Aldermen and Commissioners of Pilotage of said city.

Mr. Knight from the committee, reported a bill to oblige persons claiming lands in certain counties therein mentioned, to have them resurveyed, which was read the first time—and

Ordered for a second reading in June next.

Mr. Bracewell agreeably to notice, moved for the appointment of a committee to prepare and report a bill, authorizing the Inferior court of Pulaski county, to levy an extra tax, &c.

Ordered, that messrs. Bracewell, Harris and Hatcher, be that committee.

Mr. Foster agreeably to notice, moves for the appointment of a committee to report a bill, to compel the Clerks of the Courts of Ordinary in this state, to give security.

Ordered that messrs. Foster, Cook and Cuthbert, be that committee.

The Senate resolved itself into a committee of the whole, on the bill to divorce Edmund Warren and Anna his wife—Mr. Milton in the chair—Mr. President resumed the chair, and Mr. Milton reported that they had gone thro' the same without any amendment.

The Senate took up and agreed to the report, and the said bill was read the third time, and on the question, shall this bill now pass? the yeas and nays being required; are yeas 24—nays 14.

Those who voted in the affirmative are messrs.

Bracewell,  
Charlton,  
Cleveland,  
Cullens,  
Cuthbert,

Freeman,  
Flournoy,  
Hamilton,  
Hardin,  
Hardie,



Hopkins,  
Lane,  
Milton,  
Moore,  
Newsom,  
Nowlan,  
Parke,

Piles,  
Robinson,  
Swain,  
Talbot,  
Walker,  
Williams and  
Wimberly.

Those who voted in the negative are messrs.

Blackman,  
Bird,  
Byne,  
Cook,  
Dooly,  
Daniel,  
Foster,

Harris,  
Hatcher,  
Hudson,  
Hudspeth,  
Knight,  
Montgomery and  
Ware.

There not being the majority required by the Constitution, the bill was lost.

The Senate took up the bill to amend an act, regulating the probate of wills, &c. which was amended, read the third time, and passed under the title of a bill to authorize the several Courts of Ordinary in this state, to appoint their Clerks administrators *de bonis non*, in certain cases.

The following bills were severally read the second time—and

Ordered for a committee of the whole.

A bill to amend an act, to establish the salaries of public officers in this state.

A bill for the relief of Christian Dasher, &c.

A bill to divorce Nancy Brown and Solomon Brown her husband—and

A bill to divorce Polly Martin and Joseph John Martin and Polly Royston and John Royston.

The bill to authorize William Scott, sen. of Camden county, to establish a toll—and

The bill to revise and amend the road laws of this state, so far as respects the county of Laurens, were severally read the second time—and

Ordered for a third reading.

A message from the House of Representatives, by Mr. Clayton their Clerk ;

*Mr. President,*

The House of Representatives have concurred in the resolution from Senate, requesting his Excellency the Governor to lay before the Legislature, information relative to certain lands purchased by the commissioners of academies of sundry counties in this state—and

The resolution on the petition of William Stroud.

They have passed a resolution adding Mr. Hamilton to the joint military committee—and

A resolution saying, that the site of the public buildings in the county of Telfair shall be called and known by the name of Jacksonville.

They have passed a bill to secure to Ransom Carson, the right of establishing a Ferry—and

A bill to divorce and separate James Hobson and Sarah his wife—and he withdrew.

Ordered that the same lie on the table.

Mr. Hudspeth from the joint committee on Finance reported on the petition of Raymond Demere and others, which was read and ordered to lie on the table.

The Senate again resolved itself into a committee of the whole, on the bill to incorporate the Bank of Milledgeville—Mr. Lane in the chair—Mr. President resumed the chair, and Mr. Lane reported that they had gone thro' the same with amendments.

The Senate took up the report, and on the question to amend the same by disagreeing to the clause agreed to in committee, which reads as follows, to wit: "provided always, and be it further enacted that all the property of the said Stockholders, both real and personal, shall be bound for the payment of all bills that may be issued by the said Bank Directors?" it was determined in the affirmative, and the yeas and nays being required, are yeas 20—nays 16.

Those who voted in the affirmative are messrs.

Byne,  
Charlton,  
Cook,  
Cullens,  
Cutlibert,  
Flournoy,  
Freeman,  
Hamilton,  
Hardie,  
Hopkins,

Hudspeth,  
Lane,  
Moore,  
Montgomery,  
Newsom,  
Piles,  
Robinson,  
Talbot,  
Walker and  
Ware.

Those who voted in the negative are messrs.

Blackman,  
Byrd,  
Bracewell,  
Cleveland,  
Daniel,  
Dooly,  
Foster,  
Hardin,

Harris,  
Hatcher,  
Hudson,  
Knight,  
Milton,  
Parke,  
Swain and  
Williams.

Mr. Cook then offered the following amendment, to wit: "and be it further enacted, that all the property both real and personal shall be bound for the redemption of all bills issued by said Bank, in proportion to their individual interest in said Bank, up to the time of their transfer of title."

Mr. Flournoy then offered the following, to wit: "and be it further enacted, that whenever the said Directors shall refuse to pay out specie for their bills when demanded, and a protest thereof shall be made in due form by a Notary Public, the said Directors shall thenceforth cease to carry on the operation of the Bank until such bills shall be paid off and satisfied"—and

Mr. Daniel offered the following, to wit: "and be it further enacted that all the property of the Stockholders which they may hold in their respective individual capacities, shall be subject to any judgment that may

be obtained against them, as well as all the property they may hold as a body corporate."

Whereupon Mr. Freeman called for the previous question, which is, shall the main question be now put? which was determined in the affirmative.

The several proposed amendments being therefore excluded;

The said report was then agreed to as amended, and the said bill was read the third time, and on the question shall this bill now pass? it was determined in the affirmative, and the yeas and nays being required are yeas 27—nays 9.

Those who voted in the affirmative are messrs.

Byrd,	Hudspeth,
Byne,	Knight,
Charlton,	Lane,
Cook,	Milton,
Cullens,	Moore,
Cuthbert,	Newsom,
Flournoy,	Piles,
Foster,	Robinson,
Freeman,	Talbot,
Hardin,	Walker,
Hardie,	Ware,
Harris,	Williams and
Hatcher,	Wimberly.
Hopkins,	

Those who voted in the negative are messrs.

Blackman,	Hamilton,
Bracewell,	Hudson,
Cleveland,	Parke and
Daniel,	Swain.
Dooly,	

Mr. Charlton presented a petition from John M' Queen, which was read and referred to a select committee, consisting of messrs. Charlton, Daniel and Talbot.

Mr. Cook from the committee reported a bill for the relief of Wilson Strickland, which was received and read the first time.

Mr. Flournoy presented from the Comptroller General, a statement of the public debt required of him by a resolution of Senate, which was read and ordered to lie on the table.

Adjourned 'till 10 o'clock to-morrow morning.

## SATURDAY, 18th November, 1815.

On motion of Mr. Knight,

The Journal of yesterday was reconsidered so far as respects a bill to compel persons claiming lands in certain counties therein mentioned, to resurvey their lands.

On motion of Mr. Charlton,

The Journal of yesterday was also reconsidered so far as respects the bill to divorce Edmund Warren and Anna his wife.

Ordered that the said bills do lie on the table.

On motion,

Messrs. Cullens, Nowlan and Wimberly had leave of absence until Monday next 10 o'clock.

Mr. Moore gives notice that he will on Monday next move for the appointment of a committee to prepare and report a bill to incorporate the Monticello academy in Jasper county.

Mr. Dooly gives notice that he will on Monday next, move for leave to report a bill to repeal the fourth section of an act, to alter the time of holding the Superior courts in three several circuits in this state.

The Senate took up the report of the joint committee on Finance, on the memorial of Raymond P. Demere, Mary E. Demere and Francis A. Demere, which was read and again ordered to lie on the table.

Mr. Charlton from the committee reported a bill vesting the election of Health officer and Harbor-master for the port and city of Savannah, in the Mayor and Aldermen and Commissioners of Pilotage of said city, which was read the first time.

The rule being dispensed with, Mr. Flournoy had leave to report a bill to prevent the driving or enticing away cattle from one neighborhood to another, without the consent of the owners thereof, which was read the first time.

Mr. Harris gives notice that he will after Monday next move for the appointment of a committee, to prepare and report a bill to authorize the Inferior court of Telfair county to levy an extra tax.

Mr. Hardin notifies the Senate that he will after Monday next move for the appointment of a committee, to prepare and report a bill to compel the Bank of Augusta and the Planters' Bank in Savannah to pay specie for their notes.

The Senate took up the message of yesterday from the House of Representatives, and the resolutions therein contained were concurred in, and the bills read the first time.

Mr. Bracewell from the committee reported a bill to authorize the Inferior court of Pulaski county to levy an extra tax, which was received and read the first time.

The following bills were severally read the second time—and

Ordered for a committee of the whole, to wit:

A bill to authorize Leah Jones and Elizabeth M' Conky to trade as femmes sole and free dealers.

A bill to authorize the Adjutant General of this state to employ a Deputy.

A bill for the relief of Wilson Strickland—and

A bill to alter the 15th section of the 4th article of the Constitution.

The Senate resolved itself into a committee of the whole, on the bill to amend an act, to regulate the fees of the public officers of this state—Mr. Daniel in the chair—Mr. President resumed the chair, and Mr. Daniel reported that they had gone thro' the same with amendments.

The Senate took up and agreed to the report, and the said bill was read the third time and passed.



The bill to revise and amend the road laws of this state, so far as respects the county of Laurens—and

The bill to authorize William Scott, sen. of Camden county to establish a toll, &c. were severally read the third time and passed.

Mr. Charlton from the committee reported on the petition of John M'Queen, which was read and ordered to lie on the table.

A message from the House of Representatives, by Mr. Clayton their Clerk.

*Mr. President,*

The House of Representatives have passed a resolution, appointing a joint committee to collect information relative to the outrages committed by the late enemy on the southern maritime parts of this state—and

A resolution requiring his Excellency the Governor, to lay before the Legislature a statement of the arms, &c. belonging to the state.

They have passed the following bills :

A bill to establish and make plain the dividing line between Bulloch and Emanuel counties.

A bill to authorize the Inferior courts of Tatnall and Emanuel counties, to draw Grand and Petit Jurors.

A bill to levy a tax on the citizens of Hancock county, &c.

A bill to relieve the citizens of this State from paying taxes for property plundered and taken away since the first day of January last.

A bill to authorize the Inferior court of Baldwin county to levy an extra tax.

A bill for the relief of Wm. O. Whitney and Nathaniel Payne.

A bill to divorce John Douglass and Jiney Douglass his wife.

A bill for the better regulation of boats and boats crews navigating the Savannah river, from the city of Augusta to the head waters thereof—and

A bill to alter the time of holding the Superior courts in the middle circuit, &c.—and he withdrew.

The Senate took up the message, and the resolution requesting a statement of the arms, &c. was concurred in, and the said bills read the first time.

Ordered that the balance of said message lie on the table.

Adjourned 'till 10 o'clock to-morrow morning.

## MONDAY, 20th November, 1815.

Mr. Dooly reported a bill to be entitled an act, to alter the the time of holding the Superior courts in three several circuits in this state, passed the 15th day of December, 1809, which was read the first time.

Mr. Charlton presented a petition from Clem Lanier, which was read and referred to a special committee.

Ordered that messrs. Charlton, Bracewell and Wimberly, be that committee.

Mr. Montgomery notified the Senate that he would on to-morrow, move for a committee to be appointed, to prepare and report a bill to be entitled an act, to establish a uniform rule of practice for the government of the courts of Law and Equity in this state.

Mr. Freeman presented a petition from Augustin Harris esq. which was read and referred to a special committee.

Ordered that messrs. Freeman, Daniel and Parke be that committee.

Mr. Harris notified the Senate that he would on to-morrow ask leave to report a bill to be entitled an act, to incorporate the town of Jacksonville in the county of Telfair.

Mr. Parke notified the Senate, that he would move for leave to report a bill to be entitled an act, to promote *Science* and *Literature* in the State of Georgia.

The Senate took up the report of the committee of Finance on the petition of the heirs of Raymond Demerie ; and the same being read and amended, was agreed to and is as follows :

The joint committee on Finance, to whom was referred the petition of Raymond Demere and others, beg leave to report.

That they have had the same together with the accompanying documents under their serious consideration and recommend the following resolution ;—

Resolved, That the prayer of the petitioners is reasonable and ought to be granted, so far as to cancel or deliver up to the petitioners the bonds given to the state, for the two tracts of land called Cherry-Hill and Dublin ; the same having reverted to the state, and having been sold by the commissioners of confiscated property, for the benefit of the state—

*Provided nevertheless*, that the Solicitor General of the Eastern district be, and he is hereby required, to prosecute the claim of the state for said tracts of land, until a final trial and decision. *Provided also*, that the said Demere relinquish all right and claim against the state for or on account of any monies, paid by his father for said lands, and title which his father may have received for the same.

A message from the House of Representatives by Mr. Clayton their Clerk ;

*Mr. President,*

The House of Representatives have agreed to the report of the committee of Finance, on the petition of William Reily and John Lesley.

They have agreed to the report of the committee of Finance, on the claim of John Sorrells, and to the report of the committee of Finance on the Treasurer's Abstract.

They have passed the following bills :—

A bill to be entitled an act to regulate the inspection of Tobacco in this state.

A bill to authorize Shaler Hillyer of Wilkes county to build a mill dam across Broad-river at the shoals

called and known by the name of Muckle's Ferry shoals.

A bill to alter certain names.

They have agreed to the report of the committee of Finance, on the Governor's Communication, relative to disbursements on the fortifications around Savannah.

They have passed a resolution that the Senators and Representatives of this state, in the Congress of the United States, be instructed to apply, to have an act created, to authorize the collection of duty on tonnage of ships and vessels, as a compensation to the Harbor-master and Health officer of the port of Savannah—and

They have agreed to the amendments of Senate to the bill for the relief of Tax Collectors—and he withdrew.

The Senate took up the message, and concurred in the resolution, requesting our Senators and Representatives in Congress, to obtain an act on tonnage, &c.

On the question to concur in the report of the committee on Finance, on the petition of William Reily and John Lesly, as agreed to by the House of Representatives, it was determined in the negative, and the yeas and nays being required, are yeas 17—nays 16.

Those in the affirmative, are messrs.

Blackmon,	Freeman,	Newsom,
Bird,	Hardie,	Robinson,
Bracewell,	Hopkins,	Swain,
Cook,	Knight,	Walker, and
Flournoy,	Milton,	Ware.
Foster,	Moore,	

Those in the negative, are messrs.

Charlton,	Hardin,	Nowlan,
Cleveland,	Harris,	Park,
Cuthbert,	Hatcher,	Piles, and
Daniel,	Hudson,	Talbot.
Dooly,	Hudspeth,	
Hamilton,	Montgomery,	

The President of Senate having voted in the negative, the bill was lost.

The other reports of the committee on Finance, agreed to by the House of Representatives, were severally taken up and read and concurred in—and

The said bills were severally read the first time.

The Senate took up the following bills, which were severally read the 2nd time, viz.

A bill to be entitled an act, to vest the election of Health officer and Harbor-master of the port and city of Savannah, in the Mayor and Aldermen, and Commissioners of Pilotage of said city.

Ordered for committee of the whole.

The bill to be entitled an act, to divorce and separate James Hobson and Sarah his wife ;

Ordered for a third reading on to-morrow.

The bill to secure to Ransem Carson, a citizen of Wayne county, the right and privilege of establish-

ing a Ferry across the river Satilla, in said county ;

Ordered for a third reading.

The bill to authorize the Justices of the Inferior court of Pulaski county, to levy an extra tax ;

Ordered for a third reading.

The bill to prevent the driving or enticing away cattle, from one neighbourhood to another, without the consent of the owner or owners thereof ;

Ordered for committee of the whole.

The bill to establish and make plain the dividing line between Bulloch and Emanuel counties ;

Ordered for a third reading.

The bill to enable the Justices of the Inferior court for the counties of Tatnall & Emanuel, to draw Grand and Petit Jurors ;

Ordered for committee of the whole.

The bill to be entitled an act, to levy a tax on the citizens of Hancock county, for county purposes ;

Ordered for a third reading.

The bill for relieving the citizens of this state, from paying taxes for property plundered and taken away by the British, since the first day of January last ;

Ordered for committee of the whole.

The bill to be entitled an act, to authorize the Justices of the Inferior court of Baldwin county, to levy an extra tax ;

Ordered for a third reading.

The bill to release and exonerate William O. Whitney and Nathaniel Payne, from their bond of recognizance.

Ordered for committee of the whole.

The bill to alter the times of holding the courts of the Middle Circuit of this state ;

Ordered for committee of the whole.

The bill for the better regulation of boats and boat crews, navigating the Savannah-river, &c.

Ordered for committee of the whole—and

The bill to divorce John Douglass and Jiney his wife ;

Ordered for committee of the whole on to-morrow

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to authorize Leah Jones and Elizabeth M'Conky, to trade as femmes sole and free dealers—mr. Hudson in the chair—mr. President resumed the chair, and mr. Hudson reported that the committee was instructed to rise and report the further consideration of this bill be postponed until June next.

The Senate took up the report, and the same being read, was agreed to.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, for the relief of Christian Dasher—mr. Charlton in the chair—mr. President resumed the chair, and mr. Charlton reported progress, and had leave to sit again.

The Senate resolved itself into a committee of the whole, on the bill to authorize the Adjutant General of

this state, to appoint an assistant—Mr. Walker in the chair—Mr. President resumed the chair, and Mr. Walker reported that they had gone through the bill without any amendment.

Whereupon the said bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, for the relief of Wilson Strickland—Mr. Hopkins in the chair—Mr. President resumed the chair, and Mr. Hopkins reported progress, and had leave to sit again.

The Senate took up the resolution on the report of the joint committee, to contract with a printer for the printing the Laws and Journals of the present Session.

On motion of Mr. Cook,

*Resolved*, That messrs. Jones and Hightower have the public printing of this state, for the present political year, on the terms contained in their proposition, submitted to this Legislature; on the question to agree to the resolution, it was determined in the negative.

Whereupon the original resolution was agreed to, in the words following:

*Resolved*, That Messrs. Seaton & Fleming Grantland have the public printing of this state, for the present political year, at the same price and on the same conditions as for the preceding.

Mr. Swain Reported on the petition of the inhabitants of Wayne and Glynn counties, which was ordered to lie on the table.

Agreeably to notice, Mr. Moore moved for a committee, to prepare and report a bill to incorporate the trustees of the Monticello Academy, in Jasper county.

Ordered that Messrs. Moore, Montgomery & Cook, be that committee.

The Senate took up the communication of the Comptroller General, on the subject of outstanding evidences of debt due by the state, which was read and referred to the committee, to whom was referred the memorial of the Hon. William Stephens.

Mr. Daniel from the committee reported a bill to be entitled an act, more effectually to improve the public roads in this state, which was received and read the first time.

Adjourned 'till 10 o'clock to-morrow morning.

## TUESDAY, 21st November, 1815.

Mr. Newsom from the committee reported a bill to authorize his Excellency the Governor to pay out of the contingent fund of 1816, in part the expence of Thomas Dixon &c. which was read the first time.

Mr. Moore from the committee reported a bill to incorporate the Monticello academy in Jasper county, which was read the first time.

Mr. Parke agreeably to notice introduced a bill to promote science and literature in the state of Georgia, which was read the first time.

Mr. Charlton agreeably to notice reported a bill to incorporate a Bank to be called the Bank of the state of Georgia, which was received and read the first time.

The rule being dispensed with, Mr. Freeman had leave to report instantler, a bill to incorporate the Oconee Importing and Exporting Company, which was read the first time.

Mr. Harris agreeably to notice reported a bill to incorporate the town of Jacksonville in the county of Telfair, which was received and read the first time.

Mr. Bird gives notice that he will on to-morrow move for the appointment of a committee to prepare and report a bill to repeal an act, amendatory to an act, to regulate roads in this state, &c. &c.

Mr. Hardin agreeably to notice moves for the appointment of a committee, to prepare and report a bill to compel the Banks of Augusta and Savannah to pay specie for their notes.

Ordered that messrs. Hardin, Walker and Charlton be that committee.

Mr. Montgomery agreeably to notice moves for the appointment of a committee to report a bill to establish a uniform rule of practice for the Government of the courts of Law and Equity in this state.

Ordered that messrs. Montgomery, Daniel and Dooly be that committee.

The bill to divorce James Hobson and Sarah his wife, was read the third time, and on the question shall this bill now pass? it was determined in the negative, and the yeas and nays being required, are yeas 17—nays 19.

Those who voted in the affirmative are Messrs.

Bracewell,	Milton,	Robinson,
Charlton,	Moore,	Swain,
Cullens,	Newsom,	Talbot,
Flournoy,	Nowlan,	Walker, and
Hardin,	Parke,	Williams.
Hardie,	Piles,	

Those who voted in the negative are Messrs.

Blackmon,	Dooly,	Hudson,
Bird,	Foster,	Hudspeth,
Byne,	Freeman,	Knight,
Cleveland,	Hamilton,	Montgomery, and
Cook,	Harris,	Ware.
Cuthbert,	Hatcher,	
Daniel,	Hopkins,	

The Senate resolved itself into a committee of the whole, on the bill to divorce John Douglass and Jiney his wife—Mr. Hardin in the chair—Mr. President resumed the chair, and Mr. Hardin reported that they had gone thro' the same without amendment.

The Senate took up and agreed to the report, and the said bill was read the third time, and on the question shall this bill now pass? the yeas and nays being required, are yeas 19—nays 17.

Those who voted in the affirmative, are Messrs.

Bracewell,	Cleveland,	Flournoy,
Charlton,	Cullens,	Hamilton,

Hardie,	Nowlan,	Talbot,
Hopkins,	Parke,	Williams, and
Milton,	Piles,	Walker.
Moore,	Robinson,	
Newsom,	Swain,	

Those who vote in the negative, are Messrs.

Blackmon,	Dooly,	Hudson,
Bird,	Foster,	Hudspeth,
Byne,	Freeman,	Knight,
Cook,	Hardin,	Montgomery, and
Cuthbert,	Harris,	Ware.
Daniel,	Hatcher,	

There not being the majority required by the constitution the bill was lost.

The Senate resolved itself into a committee of the whole, on the bill to divorce Polly Martin and Joseph John Martin and Polly Royston and John Royston—mr. Ware in the chair—mr. President resumed the chair, and mr. Ware reported that they had gone thro' the same without any amendment.

The Senate took up and agreed to the report, and the said bill was read the third time, and on the question shall this bill now pass? the yeas and nays being required are yeas 20—nays 13.

Those who voted in the affirmative are messrs.

Bracewell,	Hamilton,	Piles,
Charlton,	Hardin,	Robinson,
Cleveland,	Hopkins,	Swain,
Cullens,	Milton,	Talbot,
Cuthbert,	Moore,	Walker, and
Flournoy,	Newsom,	Williams.
Freeman,	Parke,	

Those who voted in the negative are messrs.

Blackmon,	Dooly,	Knight,
Bird,	Foster,	Montgomery, and
Byne,	Harris,	Ware.
Cook,	Hudson,	
Daniel,	Hudspeth,	

There not being the majority required by the constitution the bill was lost.

Mr. Flournoy offered the following resolution, which was ordered to lie on the table.

*Resolved*, That the Governor is hereby authorized to discharge any demand that may be made on this state, by the General Government for Direct Tax, in the way that may appear to him the most expedient for the benefit of the community.

Mr. Foster offered a resolution requiring the Secretary of State, Treasurer, Surveyor General and Comptroller General to make out a list of the books of their respective offices, &c. which was ordered to lie on the table.

The Senate took up the report of the committee on the petition of John M'Queen, which was read, amended and agreed to, in the words following, to wit:

The committee to whom was referred the petition of John M'Queen, stating, that in the year 1808, he delivered to John M'Kinnon as commissioner of confisca-

ted property, certain plots and grants of land, amounting to 13,354 acres; that on the 24th day of December 1810, 7,200 acres of the said lands were sold at public sale in Milledgeville for \$34,012, and that the said John M'Kinnon bought in for, and by desire of the petitioner, the Jefferson tract of land containing 3000 acres, the titles for which the petitioner has not received, and praying that titles may be ordered to him for the said 3000 acres, which includes 2000 acres granted Sir James Wright, 500 acres granted Thomas Moodie, and 500 acres granted Charles West, as the property of said Sir James Wright, excepting the town of Jefferson, which is by law excepted;

*Report*, That they have examined the documents and find the facts correct, as stated in said petition, and therefore beg leave to recommend the following resolutions:—

*Resolved*, That the commissioners of confiscated estates, or a majority of them, do now make and execute titles for three thousand acres of land on Great Satilla river, in Camden county, consisting of three several tracts; that is to say, two thousand acres granted Sir James Wright, five hundred acres granted Thomas Moodie, and five hundred acres granted Charles West, (reserving the town of Jefferson, as by law is excepted) which said tracts consisting of three thousand acres, were sold in November, 1810, as the property of Sir James Wright, for the sum of fifteen thousand dollars, and bid off by the said John M'Kinnon, one of the said commissioners, for the said John M'Queen; he the said John M'Queen complying with the terms of the sale.

And be it further resolved, that the said John M'Kinnon, one of the said commissioners be, and he is hereby required, to deliver to the Treasurer of this state, all the grants and plots which were delivered to him, by the said John M'Queen, agreeably to a list or schedule thereof, signed by the said John M'Kinnon, which shall be lodged with the said Treasurer. And that so soon as the balance of the land shall have been sold, the said M'Queen shall be entitled to receive his per centum on the same.

*Resolved*, That the said John M'Kinnon do return to the commissioners of confiscated estates, the blank deeds which were intended to be filled for the said John M'Queen.

A message from the House of Representatives, by Mr. Clayton their Clerk.

*Mr. President*,

The House of Representatives have passed the following bills, to wit:

A bill to divorce Stephen Witts and Viney his wife

A bill for the relief of certain widows and orphans.

A bill to establish a Flour Inspection in the town of Darien—and

A bill to alter the times of holding the Superior courts of the Eastern circuit.

They have passed the bill from Senate to incorporat

an academy in the village of Powelson in Hancock county.

The bill to amend an act, to establish the salaries of public officers, &c. &c. with amendments—and

The bill to point out the mode of trial of offences committed by free persons of color—and he withdrew.

Ordered that the said message do lie on the table.

The following bills were severally read the second time, and ordered for a committee of the whole, to wit:

A bill to repeal the 4th section of an act, to alter the time of holding the Superior courts of three several circuits of this state, &c.

A bill the more effectually to improve the public roads of this state—and

A bill to be entitled an act to regulate the inspection of Tobacco in this state.

The bill to authorize Shaler Hillyer to build a dam across Muckle's Ferry shoals in Wilkes county, being read the second time, Mr. Daniel offered the following resolution, which was agreed to, to wit:

*Resolved*, That the further consideration of said bill be postponed until the meeting of the next General Assembly, in order that the sense of the citizens of the different counties residing above the said shoal, on or near the said river, may be known, on the subject contemplated by the said bill.

The following bills were severally read the third time and passed, to wit:

A bill to authorize the Inferior court of Baldwin county to levy an extra tax.

A bill to authorize the Inferior court of Hancock county to levy an extra tax.

A bill to make plain the dividing line between Bulloch and Emanuel counties.

A bill to secure to Ransom Carson, a citizen of Wayne county, the right of establishing a Ferry across the river Satilla in said county—and

A bill to authorize the Inferior court of Pulaski county, to levy an extra tax.

The Senate took up the message from the house of Representatives, and on the question to disagree to the following amendments made by the house of Representatives to the bill to amend an act, to establish the salaries of the public officers, &c. to wit: strike out 100 dollars to the Secretary of Senate and Clerk of the house of representatives and insert 300; it was determined in the affirmative, and the yeas and nays being required, are yeas 20—nays 15.

Those in the affirmative are Messrs.

Blackmon,	Flournoy,	Hudspeth,
Bracewell,	Foster,	Knight,
Cleveland,	Hardin,	Moore,
Cook,	Hardie,	Montgomery,
Cullens,	Harris,	Piles, and
Daniel,	Hatcher,	Swain.
Dooley,	Hopkins,	

Those who voted in the negative, are Messrs.

Bird,	Hudson,	Robinson,
Charlton,	Milton,	Talbot,
Cuthbert,	Newsom,	Ware,
Freeman,	Nowlan,	Walker, and
Hamilton,	Park,	Williams.

The remainder of the bills in the said message were read the first time—and

Ordered for a second reading.

And the bill to divorce Stephen Witts and Viney Witts his wife, was—

Ordered for a second reading in June next.

Mr. Charlton from the committee, reported a bill for the relief of Bird Jackson Lanier and John Jefferson Lanier, two minors, which was read the first time.

Mr. Parke presented a petition from a number of the citizens of Hancock county, which was read and referred to a select committee, consisting of messrs. Parke and Freeman.

The Senate took up and agreed to the report following, to wit:

The committee to whom was referred the petition of the inhabitants of Wayne and Glynn counties, have had the same under their serious consideration, and are of opinion, the prayer of the petitioners is unreasonable, and ought not to be granted.

Mr. Nowlan from the committee on enrollment, reported as duly enrolled and signed by the Speaker, an act for the relief of certain Tax Collectors of this state, which was presented to and signed by the President of Senate.

Adjourned 'till 10 o'clock to-morrow morning.

### WEDNESDAY, November 22d, 1815.

On motion of Mr. Parke,

The Journal of yesterday was re-considered so far as respects the bill to divorce Polly Martin and Joseph John Martin and Polly Royston and John Royston.

Ordered that the said bill do lie on the table.

On motion of Mr. Cuthbert,

To re-consider the journal of yesterday so far as respects the bill to authorize Shaler Hillyer to build a dam across Muckle's ferry shoals in Wilkes county, it was determined in the affirmative, and the yeas and nays being required are yeas 26—nays 8.

Those who voted in the affirmative are messrs.

Bird,	Hardie,	Piles,
Bracewell,	Hardin,	Robinson,
Charlton,	Harris,	Swain,
Cullens,	Hopkins,	Talbot,
Cuthbert,	Hudson,	Walker,
Flournoy,	Hudspeth,	Ware,
Foster,	Knight,	Williams, and
Freeman,	Milton,	Wimberly.
Hamilton,	Parke,	



Those who voted in the negative are Messrs.  
 Blackmon, Daniel, Montgomery, and  
 Cleveland, Dooly, Newsom.  
 Cook, Hatcher,

A message from the House of Representatives by  
 Mr. Clayton their Clerk ;

*Mr. President,*

The house of Representatives have agreed to the  
 report of the committee of Finance on the petition of  
 Drury Williams—and

They do adhere to their amendments made to the  
 bill to be entitled an act, to amend an act, to establish  
 the salaries of the public officers—and he withdrew.

The Senate took up the message—and

*Resolved*, That the Senate do still adhere to their  
 disagreement to the amendments made by the house  
 of Representatives to the bill establishing the salaries  
 of the public officers of this state, and that a commit-  
 tee of conference be appointed on the part of Senate to  
 join such as may be appointed on the part of the house  
 of Representatives to confer on the subject matter in  
 dispute ;

Ordered that Messrs. Dooly, Cook, Cuthbert, Har-  
 din and Parke be that committee on part of Senate.

Ordered that the resolution on the petition of Drury  
 Williams do lie on the table.

Mr. Montgomery from the committee, reported a bill  
 to be entitled an act, to establish an uniform mode of  
 practice in the several courts of Law and Equity in  
 this state, which was read the first time.

Mr. Hardin from the committee on the State of the  
 Republic reported a bill to authorize the trustees of the  
 University of Georgia to sell the lands belonging to  
 said University, and to systematise the funds belonging  
 thereto, which was read the first time.

Mr. Freeman from the committee reported on the pe-  
 tition of Augustin Harris, which was read and ordered  
 to lie on the table.

Mr. Nowlan from the committee on enrolled bills, re-  
 ported as duly enrolled and signed by the Speaker, an  
 act to incorporate an academy in the village of Pow-  
 ellton in Hancock county—and

An act to point out the mode of trial of offences com-  
 mitted by free persons of color, which were presented  
 to and signed by the President.

Ordered that the committee take said acts to his Ex-  
 cellency the Governor for his revision.

The Senate again resolved itself into a committee of  
 the whole, on the bill for the relief of Wilson Strick-  
 land—Mr. Hardie in the chair—Mr. President resumed  
 the chair, and Mr. Hardie reported that they had gone  
 thro' the bill without any amendment.

Ordered that the said report do lie on the table.

The Senate resolved itself into a committee of the  
 whole, on the bill to prevent the driving away cattle  
 from one neighborhood to another without the consent  
 of the owner—Mr. Moore in the chair ; Mr. President

resumed the chair, and Mr. Moore reported, that the  
 had gone thro' the same with an amendment.

The Senate took up and agreed to the report—and  
 The said bill was read the third time and passed.

Mr. Nowlan had leave to introduce instanter, a bill  
 to be entitled an act, to amend the several estray law  
 now in force in this state, which was read the first  
 time.

A message from the House of Representatives, by  
 Mr. Clayton, their Clerk.

*Mr. President,*

The house of Representatives have acceded to the  
 request of Senate appointing a committee of conference  
 on the bill to amend the act regulating the salaries of  
 the public officers of this state, and have joined a com-  
 mittee on their part—and he withdrew.

A message from his Excellency the Governor, by  
 Mr. Porter, his Secretary.

*Mr. President,*

I am instructed by his Excellency the Governor, to  
 notify the Senate, that he has this day approved of and  
 signed five resolutions which originated in this branch  
 of the Legislature, the substance of which are as fol-  
 lows, to wit :

One appointing Alexander Greene and Harris Al-  
 len, Esquires, Vendue-masters for the town of Mil-  
 ledgeville.

One appointing Wm. Belcher, Moses Herbert, Ar-  
 chibald Campbell M'Intyre and Lewis Johnson, Es-  
 quires, Notaries Public for the city of Savannah and  
 county of Chatham.

One confirming the Executive appointment of John  
 Milton, Esquire, a commissioner of the Academy of  
 Burke county, in the place of Amos Whitehead decess-  
 ed.

One relative to the petition of Wm. Stroud, a wound-  
 ed soldier, that he ought to be allowed fifty dollars—and

One requesting information from the Executive, on  
 what measures have been taken for investigating the  
 claim of the state, to certain confiscated lands purcha-  
 sed in November, 1810, by certain counties for the  
 benefit of their academies.

A communication from the Executive on this subject  
 is herewith presented—and he withdrew.

Ordered that the said message do lie on the table.

Mr. Dooly from the joint committee of conference to  
 whom was refered the subject matter of disagreement  
 between the two branches on the bill to amend an act  
 regulating the salaries of the public officers of this state  
 &c.

*Reported*, That the Senate recede and concur with  
 the house of Representatives in their amendments to  
 said bill.

The Senate took up the report, and the same being  
 read, Mr. Montgomery moved that the report of the  
 joint-committee and the bill lie on the table the balance

of the session, and on the question to agree to the same, it was determined in the negative, and the yeas and nays being required, are yeas 14—nays 22.

Those who voted in the affirmative are Messrs.

Bracewell,	Dooly,	Moore,
Blackmon,	Hardin,	Montgomery,
Cleveland,	Hatcher,	Piles, and
Cook,	Hopkins,	Swain.
Daniel,	Hudspeth,	

Those who voted in the negative are messrs.

Bird,	Hardie,	Robinson,
Charlton,	Harris,	Talbot,
Cullens,	Hudson,	Walker,
Cuthbert,	Knight,	Ware,
Flournoy,	Milton,	Williams, and
Foster,	Newsom,	Wimberly.
Freeman,	Nowlan,	
Hamilton,	Parke,	

Upon the question to agree to the report of the committee of conference, it was determined in the affirmative, and the yeas and nays being required, are yeas 20—nays 16.

Those who voted in the affirmative are Messrs.

Bird,	Hardie,	Robinson,
Charlton,	Harris,	Talbot,
Cullens,	Hudson,	Walker,
Cuthbert,	Milton,	Ware,
Flournoy,	Newsom,	Williams, and
Freeman,	Nowlan,	Wimberly.
Hamilton,	Parke,	

Those in the negative are messrs.

Blackmon,	Foster,	Moore,
Bracewell,	Hardin,	Montgomery,
Cleveland,	Hatcher,	Piles, and
Cook,	Hopkins,	Swain.
Daniel,	Hudspeth,	
Dooly,	Knight,	

On motion,

Ordered that the Secretary carry the report of the committee of conference on the matter of dispute between the two branches, relative to amendments made to the bill to be entitled an act, regulating the salaries of the public officers of this state; on the question to agree, it was determined in the affirmative, and the yeas and nays being required, are yeas 21—nays 14.

Those in the affirmative are messrs.

Bird,	Hamilton,	Parke,
Bracewell,	Hardie,	Robinson,
Charlton,	Harris,	Talbot,
Cullens,	Hudson,	Walker,
Cuthbert,	Milton,	Ware,
Flournoy,	Newsom,	Williams, and
Freeman,	Nowlan,	Wimberly.

Those in the negative are messrs.

Blackmon,	Foster,	Knight,
Cleveland,	Hardin,	Moore,
Cook,	Hatcher,	Montgomery, and
Daniel,	Hopkins,	Swain.
Dooly,	Hudspeth,	

Agreeably to notice Mr. Bird moved for a committee to prepare and report a bill to repeal an act, passed the 27th November, 1812, amendatory to an act entitled an act, regulating roads in this state, so far as respects the counties of Bryan, Liberty, M'Intosh, Glynn, Camden and Wayne, passed on the 8th day of December 1806, and to revive said road law so far as respects the county of Bryan;

Ordered that messrs. Bird, Cuthbert and Hopkins be that committee.

The Senate took up the report of the committee of the whole, on the bill for the relief of Wilson Strickland, which was read, amended and agreed to.

Whereupon the said bill was read the third time and passed.

Mr. Dooly notified the Senate that he will after tomorrow ask leave to report a bill to be entitled an act, to prevent any person in this state from holding any two offices or appointments, elected or appointed by the people or the Legislature, or in any other manner, both of which shall have a salary or compensation annexed to the same.

Mr. Foster called up his resolution, which was ordered to lie on the table on the 21st inst. and the same being read was agreed to, and is as follows:

Whereas, there is no law or resolution in this state, requiring the Secretary of State, Treasurer, Surveyor General or Comptroller General, to make out a Schedule or list of the books of record and other documents or papers, appertaining to their said several offices, to the Executive or elsewhere—and

Whereas, it is deemed expedient, that there should be a record of the schedule of all such books of records and other documents, appertaining to the said several offices, so as to ascertain the records belonging to this state.

Therefore, be it resolved by the Senate and house of Representatives of the State of Georgia in General Assembly met, and by the authority of the same, that his Excellency the Governor, and his successors in office, Governors for the time being, be, and he is hereby authorized and required to cause the Secretary of State, Treasurer, Surveyor General and Comptroller General, to make out a schedule or list of all the books of records and such other papers as his Excellency may think expedient, appertaining to their said several offices and have the said schedule, filed and recorded in the Executive office—and

Be it further resolved, that the said several officers, do annually at the end of each political year, make out a like schedule of the increase of the records and other documents belonging to their said several offices, to the then Executive officer, to be filed of record as aforesaid.

Mr. Nowlan from the committee of enrolment, reported as duly enrolled and signed by the Speaker, an act to amend an act, entitled an act, to establish the sal-

ties of the public officers of this state, for the political year 1808 and 1809, and from thence until the same shall be repealed, and for defining the fees of malicious prosecutions, passed on the 8th December, 1806, which was presented to and signed by the President of Senate.

Ordered, that the committee of enrolment do carry said act to his Excellency the Governor for his approbation.

Mr. Hardin from the committee, reported a bill to be entitled an act, to incorporate a Company, for the purpose of opening and keeping open the rivers Oconee, Ocmulgee and Alatomaha, from the mouth of Fishing creek on the Oconee, and from Fort-Hawkins, on the Ocmulgee, to Darien, which was read the first time.

A message from his Excellency the Governor by Mr. Porter, his Secretary.

Mr. President,

His Excellency the Governor, has approved of and signed the act, entitled an act, to amend an act, entitled an act, to establish the salaries of the public officers of this state, for the political years 1808 and 1809, and from thence until the same shall be repealed, and for defining the fees of malicious prosecutions, passed on the 8th December, 1806—and he withdrew.

Ordered, that the committee of enrolment do carry the said act to the Secretary of State, and see the great seal affixed thereto.

The bill to be entitled an act, to incorporate a Bank, to be called the Bank of the State of Georgia, was taken up and read the second time;

Ordered for committee of the whole.

A message from the house of Representatives, by Mr. Clayton their Clerk.

Mr. President,

The House of Representatives are in readiness to receive the Senate in the Representative chamber, for the purpose of proceeding to the election of Secretary of State, Treasurer, Surveyor and Comptroller General of this state—and he withdrew.

The Senate then repaired to the Representative chamber, and being seated, proceeded by joint ballot to said elections, and on counting out the votes, it appeared that Abner Hammond Esq. was re-elected Secretary of State; George Roots Clayton Esq. Treasurer; Edmund Booker Jenkins, Esq. Surveyor General; and James Bozaman, Esq. Comptroller General of this State.

The Senate then returned to their chamber—and Adjourned 'till 10 o'clock to-morrow morning.

THURSDAY, 23d November, 1815.

On motion of Mr. Freeman,

To reconsider the journal of yesterday, so far as respects the bill for the relief of Wilson Strickland, it was

determined in the negative, and the yeas and nays being required, are yeas 8—nays 27.

Those who voted in the affirmative are messrs.

Cleveland,	Hamilton,	Nowlan, and
Cook,	Knight,	Walker.
Freeman,	Milton,	

Those who voted in the negative are messrs.

Blackmon,	Foster,	Montgomery,
Bird,	Hardin,	Newsom,
Bracewell,	Hardie,	Park,
Charlton,	Harris,	Piles,
Cullens,	Hatcher,	Robinson,
Cuthbert,	Hopkins,	Swain,
Damel,	Hudson,	Talbot,
Dooly,	Hudspeth,	Ware, and
Flournoy,	Moore,	Wimberly.

Mr. Parke presented a memorial from Col. Jonas Fauche, which was read and referred to a select committee, consisting of Messrs. Parke, Hardie & Talbot

Mr. Hardin from the committee, reported a bill to compel the Bank of Augusta, and the Planter's Bank in Savannah, to pay specie for their notes, which was read the first time.

Mr. Bird from the committee, reported a bill to repeal an act, to amend an act, regulating roads in this state &c. so far as respects the county of Bryan, which was received and read the first time.

The Senate resolved itself into a committee of the whole, on the bill to alter the 15th section of the 4th article of the Constitution of this state—Mr. Talbot in the chair—Mr. President resumed the chair, and Mr. Talbot reported that they had gone thro' the same without any amendment.

Ordered that the said report lie on the table:

The Senate resolved itself into a committee of the whole, on the bill to vest the election of Health officer and Harbour-master of the port and city of Savannah, in the Mayor and Aldermen, and Commissioners of Pilotage of said city—Mr. Hamilton in the chair—Mr. President resumed the chair, and Mr. Hamilton reported, that they had gone thro' the bill with an amendment.

The Senate took up the report, which was amended and ordered to lie on the table.

The Senate again resolved itself into a committee of the whole, on the bill to repeal the 4th, 5th, 6th, and 7th sections of an act, authorizing the Courts of Equity in this state, to grant remedies in certain cases, &c. &c.—Mr. Milton in the chair—Mr. President resumed the chair, and Mr. Milton reported that they had gone thro' the same without any amendment.

Ordered that the said report lie on the table.

The Senate resolved itself into a committee of the whole on the bill to authorize the Justices of the Inferior courts of the counties of Tatnall and Emanuel, to draw Grand and Petit Jurors for said counties—Mr. Walker in the chair—Mr. President resumed the chair



and Mr. Walker reported progress and had leave to sit again.

The Senate resolved itself into a committee of the whole, on the bill for the better regulation of boats and boats crews, navigating the waters of the Savannah river, from the city of Augusta, to the head waters thereof—Mr. Robinson in the chair—Mr. President resumed the chair, & Mr. Robinson reported that they had gone thro' the bill without any amendment.

The Senate ordered the report to lie on the table.

The Senate resolved itself into a committee of the whole, on the bill relieving the citizens of this state from paying tax on property plundered from them by the British—Mr. Cook in the chair—Mr. President resumed the chair, and Mr. Cook reported that they had gone through the same without any amendment.

The Senate took up the report, which was read and ordered to lie on the table.

A message from the House of Representatives, by Mr. Clayton their Clerk.

*Mr. President,*

The House of Representatives have concurred in the report of the joint committee on the subject of printing the Laws and Journals of the present Session.

They have passed a resolution confirming the Executive appointment of Young Gresham, a Trustee of the University of Georgia—and

They have passed a bill to amend the 5th section of an act, amendatory of an act, to amend an act, to authorize the fortunate drawers in the late Land Lotteries, to take out their grants &c.—and he withdrew.

Ordered that the said message do lie on the table.

The Senate resolved itself into a committee of the whole on the bill the more effectually to improve the public roads of this state—Mr. Cuthbert in the chair—Mr. President resumed the chair, and Mr. Cuthbert reported that they had gone thro' the same without any amendment.

Ordered that the said report do lie on the table.

The Senate resolved itself into a committee of the whole, on the bill for the relief of William O. Whitney and Nathaniel Payne—Mr. Freeman in the chair—Mr. President resumed the chair, and Mr. Freeman reported that they had gone thro' the same without any amendment.

Ordered that the said report lie on the table.

A message from his Excellency the Governor, by Mr. Porter his Secretary.

*Mr. President,*

I am instructed by his Excellency the Governor, to inform the Senate, that he has assented to and signed two acts which originated in this branch of the Legislature, one to incorporate an Academy in the village of Powelton, in Hancock county—and

One to point out the mode of trial of offenders committed by free persons of color.

Ordered, that the committee on enrolment do carry

the said acts to the Secretary of States' office, and see the great seal affixed thereto.

The Senate again resolved itself into a committee of the whole, on the bill for the relief of Christian Dash-cr—Mr. Hardie in the chair—Mr. President resumed the chair, and Mr. Hardie reported, that they had gone thro' the same, without any amendment.

Ordered, that the said report do lie on the table.

Mr. Freeman presented an address from the commissioners of the Penitentiary, which being read, was with its accompanying document, referred to the committee on Finance.

The Senate took up the report of the committee of the whole, on the bill more effectually to improve the public roads in this state, and the same being read was amended by inserting the following clauses offered by Mr. Daniel, and agreed to, to wit:

And be it further enacted, that when any public road as aforesaid, shall be altered so as to make it necessary to remove any post, it is hereby made the duty of the overseer of said road, to remove such post or set up others in such manner as to answer the purposes contemplated by this act.

And be it further enacted, that all public roads shall be laid out the nearest and best way to the place to which they are intended, and that the Commissioners of roads shall be required in all cases to designate the same on oath if required by the court.

Whereupon the said bill was read the third time, and passed.

Mr. Freeman presented a petition from Joseph Cook, which was referred to a select committee, consisting of Messrs. Freeman, Hardin and Robinson.

Mr. Parke from the committee, reported a bill to add a part of the county of Hancock to the county of Baldwin, which was read the first time.

Mr. Dooly gives notice, that he will on to-morrow ask leave to report a bill, to authorize Judges of the Superior courts under certain circumstances, to appoint an assistant Judge, and to point out the manner in which such assistant Judge shall be compensated for his services.

The Senate took up the report of the committee of the whole, on the bill to enable the Inferior court of Tatnall and Emanuel counties to draw Grand and Petit Jurors, and the same being amended, was passed under the title of a bill to authorize the Justices of the Inferior courts in this state to draw Grand and Petit Jurors in certain cases.

The Senate resolved itself into a committee of the whole, on the bill to regulate the inspection of Tobacco in this state—Mr. Hudspeth in the chair—Mr. President resumed the chair, and Mr. Hudspeth reported that they had gone thro' the same without any amendment.

The Senate took up the report, and on motion of Mr. Hardin to strike out the sixth section of said bill, which reads as follows:

And be it further enacted, that it shall not be lawful for any person or persons to sell in the city of Augusta any Tobacco packed in hogsheds, upon any pretence whatsoever, before the same shall have been viewed and inspected according to the directions of this act, under the penalty of twenty dollars on the part of the seller, and twenty dollars on the part of the purchaser, to be recovered by any informer, before any court having competent jurisdiction thereof, one half to the use of the informer, & the other half to the use of the county—any law to the contrary thereof notwithstanding; The yeas and nays being required, are yeas 16—nays 16.

Those who voted in the affirmative are messrs.

Blackmon,	Harris,	Nowlan,
Hird,	Hatcher,	Parke,
Cullens,	Hudspeth,	Swain, and
Daniel,	Milton,	Williams.
Dooly,	Moore,	
Hardin,	Newsom,	

Those who voted in the negative are messrs.

Bracewell,	Freeman,	Robinson,
Charlton,	Hamilton,	Talbot,
Cleveland,	Hardie,	Walker, and
Cook,	Hopkins,	Ware.
Cuthbert,	Hudson,	
Foster,	Montgomery,	

There being a tie, the President decided in the affirmative.

Adjourned 'till 10 o'clock to-morrow morning.

### FRIDAY, 24th November, 1815.

The honorable Mr. Ware had leave to be absent from Senate until Monday next 12 o'clock.

The President of Senate having requested leave to be absent until Monday next,

*Resolved*, That the honorable Mathew Talbot take the chair as President of Senate, *pro tem*.

Mr. Hudson had leave to introduce instanten, a bill to be entitled an act, to incorporate a company to improve the navigation of Broad river, which was read the first time.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to incorporate a Bank to be styled the Bank of the State of Georgia—Mr. Foster in the chair—Mr. President resumed the chair, and Mr. Foster reported that they had gone thro' the bill with amendments.

Ordered that the report do lie on the table.

The honorable Francis Hopkins has leave of absence from Senate for the remainder of the session, after to-morrow.

Mr. Nowlan from the committee on enroled bills, reported as duly enroled and signed by the Speaker the following acts, viz :

An act to establish and make plain the dividing line between Bulloch and Emanuel counties.

An act to levy a tax on the citizens of Hancock county, for county purposes—and

An act to authorize the Justices of the Inferior court of Baldwin county to levy an extra tax.

Ordered that the committee of enrolment do carry the said several acts to his Excellency the Governor, for his revision.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to alter the times of holding the Superior courts of the Middle circuit in this state—Mr. Hardin in the chair—Mr. President *pro tem*. resumed the chair, and Mr. Hardin reported that they had gone through the bill with amendments.

The Senate took up the report and the caption of said bill being amended, by inserting Eastern and Western circuits;

Whereupon the said bill was read the third time and passed under the title of an act, to alter the times of holding the Superior courts of the Eastern, Middle and Western circuits in this state.

A message from the House of Representatives, by Mr. Clayton their Clerk.

*Mr. President,*

The House of Representatives have passed a bill to be entitled an act, to authorize persons having grants to lands without plats thereof, to have those lands re-surveyed, and the plats thereof recorded in the county and Surveyor General's office.

They have passed the bill for the repeal of an act, entitled an act, for amending an act, for regulating in the several ports of this province, &c.

A bill to be entitled an act, to alter and amend the third section of an act, prescribing the mode of manumitting slaves in this state.

A bill entitled an act, for the better regulation and government of the town of Athens, in the county of Clarke.

A bill to be entitled an act, to amend an act, regulating roads in this state, so far as respects the county of Glynn—and

They have passed the bill from Senate to be entitled an act, to alter the mode of holding the Mayor's court in the city of Savannah, with an amendment—and he withdrew.

Ordered that the message do lie on the table.

The bill to be entitled an act, to repeal an act, entitled an act, to amend an act, regulating roads &c. so far as respects the county of Bryan, was read the second time—and

Ordered for a third reading.

The Senate took up the report of the committee of the whole, on the bill to be entitled an act, for the relief of Christian Dasher, and to authorize the Comptroller General of this state to issue a certificate in his favor, which being read was agreed to.

Whereupon the said bill was read the third time and passed.

The Senate took up the report of the committee of the whole, on the bill to be entitled an act, to repeal the 4th, 5th, 6th and 7th sections of the act, to authorise the Courts of Equity in this state to grant remedies in certain cases, &c.

On motion of Mr. Hardin,

That the proviso in said bill, in the words following, be stricken out ;

*Provided nevertheless*, that nothing herein contained shall be so construed as to effect any case or cases where executions have been stayed for 12 months, in terms of said act, until such term shall have expired ; on the question to agree, it was determined in the negative, and the yeas and nays being required, are yeas 11—nays 18.

Those in the affirmative are messrs.

Blackmon,	Hardie,	Nowlan,
Bird,	Harris,	Parke, and
Charlton,	Hudson,	Walker.
Hardin,	Milton,	

Those in the negative are messrs.

Bracewell,	Dooly,	Hudspeth,
Cleveland,	Foster,	Knight,
Cook,	Freeman,	Montgomery,
Cullins,	Hamilton,	Newsom,
Cuthbert,	Hatcher,	Robinson, and
Daniel,	Hopkins,	Swain.

The report being amended, the bill was read the 3d time and passed.

On motion to adjourn the Senate 'till to-morrow morning 10 o'clock, the yeas and nays being required, are yeas 20—nays 9.

Those in the affirmative are messrs.

Blackmon,	Dooly,	Milton,
Bird,	Freeman,	Newsom,
Bracewell,	Hardin,	Nowlan,
Charlton,	Hardie,	Parke,
Cook,	Harris,	Swain, and
Cullins,	Hatcher,	Walker.
Cuthbert,	Knight,	

Those in the negative are messrs.

Cleveland,	Hamilton,	Hudspeth,
Daniel,	Hopkins,	Montgomery, and
Foster,	Hudson,	Robinson.

Adjourned 'till 10 o'clock to-morrow morning.

**SATURDAY, 25th November, 1815.**

On motion,

Mr. Byne had leave of absence for a few days, and Messrs. Hardie and Piles had leave of absence after Wednesday next for the balance of the session.

The Senate resolved itself into a committee of the whole on the bill to authorize Shaler Hillyer, of Wilkes county, to build a mill dam across Broad river, at the shoals called and known by the name of Buckle's Ferry shoals—Mr. Foster in the chair—Mr. President *pro tem.* resumed the chair, and Mr. Foster reported, that they had gone thro' the bill with amendments

Ordered, that the said report lie on the table.

The Senate took up the bill to divorce Edmund Warren and Anna his wife, which was read the third time, and on the question, shall this bill now pass? It was determined in the affirmative, and the yeas and nays being required, are yeas 18—nays 9.

Those who voted in the affirmative, are Messrs.

Bracewell,	Hamilton,	Nowlan,
Charlton,	Hardin,	Park,
Cleveland,	Hardie,	Robinson,
Cullens,	Milton,	Swain,
Cuthbert,	Moore,	Walker, and
Freeman,	Newsom,	Wimberly.

Those who voted in the negative, are Messrs.

Blackmon,	Daniel,	Hudson,
Bird,	Dooly,	Hudspeth, and
Cook,	Foster,	Montgomery.

The President *pro tem.* voted in the affirmative.

Mr. Daniel from the joint committee reported a bill to amend and consolidate the militia laws of this state, which was read the first time.

A message from his Excellency the Governor, by Mr. Carey his Secretary.

*Mr. President,*

I am directed by his Excellency the Governor to inform the Senate, that he has this day approved of and signed the resolution, stating that Messrs. S. & F. Grantland shall have the public printing, &c.—and he withdrew.

Mr. Freeman presented a petition from a number of the inhabitants of Milledgeville, which was read and referred to a select committee, consisting of Messrs. Freeman, Hamilton and Cook.

The Senate took up the bill, obliging persons in certain counties therein named, to re-survey lands, &c. which was read the second time—and

Ordered for a committee of the whole.

The Senate took up the report of the joint committee on Finance, on the petition of Drury Williams, which being read, is in the words following to wit :

The joint committee on Finance, to whom was referred the petition of Drury Williams, beg leave to report, that they have had the same under their consideration, and are of opinion, that the prayer of the petitioner is reasonable, and ought to be granted, and recommend the following resolution ;

*Resolved*, That the bond of the said Drury Williams, given for fraction No. 216, in the 28th district of Wilkinson, now Twiggs county, containing 39 acres, be given up to the said Drury Williams, on his relinquishing to the Executive of this state in behalf of said state, all right, title or claim, which he now has, or ever had to the aforesaid fraction No. 216 ; and on the question to agree to the same, it was determined in the affirmative, and the yeas and nays being required, are yeas 24—nays 6.

Those who voted in the affirmative, are Messrs.

Blackmon,	Bird,	Bracewell,
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Charlton,	Hardin,	Nowlan,
Cullens,	Harris,	Robinson,
Cuthbert,	Hatcher,	Swain,
Daniel,	Hudson,	Walker, and
Freeman,	Knight,	Wimberly.
Hamilton,	Milton,	
Hardie,	Newsom,	

Those who voted in the negative, are Messrs.  
Cleveland, Dooly, Hudspeth, and  
Cook, Foster, Parke.

The bill to compel the Banks of Augusta and Savannah, to pay specie for their notes, was read the second time, and on the question, shall this bill stand for a committee in June next? It was determined in the negative, and the yeas and nays being required, are yeas 10—nays 19.

Those who voted in the affirmative, are Messrs.  
Dooly, Hudspeth, Robinson, and  
Foster, Moore, Walker.  
Hardie, Montgomery,  
Hudson, Newsom

Those who voted in the negative, are Messrs.  
Blackmon, Daniel, Milton,  
Bird, Freeman, Nowlan,  
Bracewell, Hamilton, Parke,  
Cleveland, Hardin, Swain, and  
Cook, Harris, Wimberly.  
Cullens, Hatcher,  
Cuthbert, Knight,

Ordered that the said bill do lie on the table.

The bill to repeal an act, to amend an act, regulating the roads in this state, so far as respects the operation of said acts in the counties of Liberty, M'Intosh, Camden and Wayne, so far as respects the county of Bryan, was read the third time, and passed.

The following bills were severally taken up and read the second time, to wit :

A bill to incorporate a Company to improve the navigation of Broad river.

A bill to incorporate the Oconee and Oakmulgee Importing and Exporting Company.

A bill to incorporate the town of Jacksonville, in the county of Telfair.

A bill to authorize his Excellency the Governor, to pay out of the contingent fund of 1816, a part of the Jail fees of Thomas Dixon, now confined in Warren Jail.

A bill to incorporate a company, for the purpose of opening and keeping open, the rivers Oconee, Ocmulgee and Alatamaha.

A bill to add a part of Hancock to Baldwin county.

A bill to authorize the Trustees of the University of Georgia, to sell the lands belonging to the said University, &c.

A bill to establish an uniform mode of practice in this state in the Courts of Law.

A bill to establish an Academy in Monticello.

A bill for the relief of certain persons, &c.

A bill for the relief of certain Widows and Orphans.

A bill to promote Science and Literature.

A bill to establish a Flour Inspection, in the town of Darien.

A bill to alter the names of certain persons—and

A bill to alter the Estray Laws, &c.

A message from the house of Representatives by Mr. Clayton their Clerk.

*Mr. President,*

The house of Representatives have passed a resolution appointing a Notary Public in the county of Wayne.

They have added Mr. Ware to the joint committee to enquire into the conduct of the Bank of Augusta.

They have agreed to the amendment made by Senate, to the bill to regulate the inspection of Tobacco in this state, &c. and the bill to enable the Inferior court of Tatnall and Emanuel, to draw Grand and Petit Jurors.

They have concurred in the resolution from Senate, requiring the several officers of this state to make out a schedule of all their books &c.—and

In the report of the joint committee on Finance, on the petition of Raymond P. Demere and others.

They have passed the following bills :

A bill to alter the law of libels, so far as to allow the defendant to justify, &c.

A bill to authorize the Inferior court of Jasper county to levy an extra tax.

A bill to compel owners of old or infirm slaves, to maintain them.

A bill to dispose of the Court-house and Jail in the county formerly Montgomery.

A bill to authorize the Trustees of the Richmond Academy, to establish a seminary of learning on the Sand hills, &c. &c.

A bill to compel Clerks of the Courts of Ordinary in this state, to give bond and security, &c.—and he withdrew.

Ordered, that the said message do lie on the table.  
Adjourned 'till Monday 10 o'clock.

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MONDAY, 27th November, 1815.

Mr. Newsom from the committee reported a bill to revise and amend the several patrol laws in this state, which was read the first time.

Mr. Freeman from the committee, reported on the petition of the inhabitants of Milledgeville, which was ordered to lie on the table.

The bill to be entitled an act, to revise, amend and consolidate the militia laws of this state, &c. was read the second time—and

Ordered for a committee of the whole.

The bill to incorporate the town of Jacksonville in the county of Telfair—and

The bill to alter the names of certain persons there,

in named, were read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to authorize the University of Georgia to sell the lands belonging to said University, &c.—Mr. Hudson in the chair—Mr. President pro tem. resumed the chair, and Mr. Hudson reported, that they had gone thro' the same with amendments.

The Senate took up and agreed to the report, and the said bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to incorporate a company to improve the navigation on Broad river—Mr. Hudspeth in the chair—Mr. President pro tem. resumed the chair, and Mr. Hudspeth reported, that they had gone thro' the same with amendments.

The Senate took up and agreed to the report, and the said bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to incorporate the Oconee and Ocmulgee Importing and Exporting company—Mr. Cook in the chair—Mr. President pro tem. resumed the chair, and Mr. Cook reported that they had gone thro' the same with amendments.

The Senate took up and agreed to the report, and the said bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill authorizing the several county Surveyors of several counties in this state, to have the lands re-surveyed, &c.—Mr. Montgomery in the chair—Mr. President pro tem. resumed the chair, and Mr. Montgomery reported that they had gone thro' the same with amendments.

Ordered that the said report do lie on the table.

The Senate resolved itself into a committee of the whole, on the bill to establish an Academy in Monticello, &c.—Mr. Walker in the chair—Mr. President resumed the chair, and Mr. Walker reported that they had gone thro' the same without any amendments.

The Senate took up and agreed to the report, and the bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to establish an uniform mode of practice in the several courts of Law in this state—Mr. Hardin in the chair—Mr. President pro tem. resumed the chair, and Mr. Hardin reported, that they had gone thro' the same with an amendment.

A message from the house of Representatives by Mr. Clayton their Clerk :

*Mr. President,*

The house of Representatives have passed a resolution, appointing a Notary Public and Vendue master for the county of Greene, and the town of Greensborough ; and a resolution, appointing Commissioners of the Glynn county Academy.

They have agreed to the reports of the Joint Committee on Finance, on the petition of Elijah Swan ; and John Scriven, executor of Joseph Bryan, dec'd. and Charles Harris ; and of Cope and Frances Gugel, ad-

ministrators and administratrix of — Gugel, dec'd. — and

They have passed a bill, to quiet and confirm the titles of lot holders in Louisville—and

A bill to add part of Jasper county to Morgan county, and for other purposes.

Adjourned 'till 4 o'clock to-morrow morning.

## TUESDAY, 23<sup>rd</sup> November, 1815.

Mr. Cullens presented a petition from Nancy Hinton, which was read and referred to the committee on Finance.

Mr. Freeman from the committee, reported on the petition of Joseph Cook, which was ordered to lie on the table.

Mr. Charlton had leave to report instanter, a bill to dispose of slaves arriving within the jurisdiction of this state, contrary to the laws of the United States, which was read the first time.

The Senate took up the report of the committee of the whole, on the bill to establish a Bank, to be called the Bank of the State of Georgia, and the same being read, Mr. Foster offered the following enacting clause as an amendment, which was agreed to, to wit :

And be it further enacted, that a future General Assembly may, whenever they think it will be expedient, increase the capital stock to three million of dollars, and the state shall if they think proper, be entitled to subscribe for one third part of the same ; and in case of the increase of the capital, there shall be books of subscription opened at such times and places as a future Legislature may direct, to subscribe for the increased stock.

Whereupon, the report was amended, and the said bill read the third time and passed.

Mr. Nowlan from the committee on enrolment, reported as duly enrolled and signed by the Speaker, the following acts, to wit :

An act to authorize the Justices of the Inferior courts of this state to draw Grand and Petit Jurors in certain cases—and

An act to regulate the inspection of Tobacco in this state, which were severally presented to and signed by the President.

Ordered that the committee do carry said acts to his Excellency the Governor for his revision.

A message from the house of Representatives, by Mr. Clayton their Clerk.

*Mr. President,*

The house of Representatives have passed a bill to divorce and separate Willie Jones and Penny his wife.

A bill to divorce Thomas Anderson and Polly his wife.

A bill more particularly to define and extend the powers of Grand Jurors.

A bill to regulate the town of Darien—and



A bill to secure to John Peck the right of a bridge &c.—and he withdrew.

Ordered that the said message do lie on the table.

The Senate took up the report of the committee on the bill to authorize Shaler Hillyer of Wilkes county to build a mill-dam across Broad river at the shoals called by the name of Muckle's Ferry shoals, which was read; Mr. Daniel proposed the following amendments, which were agreed to, to wit:

And be it further enacted, that if the commissioners heretofore appointed by an act, entitled an act, to keep open the main channel of Broad river, from the confluence of the same with Savannah river to the mouth of Hudson's river in Franklin county, passed on the 13th December 1809, together with the commissioners hereafter named or a majority of them, or a majority of any commissioners that may at any time hereafter be appointed, shall at any time hereafter on reviewing the said dam be of opinion that the said dam obstructs the passage of fish, or that it is in any way detrimental thereto, the said Shaler Hillyer, his heirs, executors, administrators and assigns or other persons claiming under his or their authority, or other persons having charge of the said premises, on being notified by the said commissioners or a majority of them, shall immediately proceed to remove such part of said dam or other obstruction in the said shoal as the commissioners aforesaid or a majority of them shall direct; and in case the said obstruction shall not be removed within five days after notice being given as aforesaid, the said Shaler Hillyer, his heirs, executors, administrators and assigns or other persons owning said premises, shall for every twelve hours such obstruction now in the meaning of this act, shall remain unremoved, forfeit and pay the sum of fifty dollars, and in proportion to that sum for a larger or shorter time, to be recovered before any court, having competent jurisdiction thereof; one half thereof shall be paid to the informer, the other half to be applied to the improvement of the navigation of the said river.

And be it further enacted, that in case the said dam or other obstruction that may be placed in the said shoal, shall not be removed within the time prescribed by this act, it shall and may be lawful for the commissioners aforesaid or a majority of them, and they are hereby required, to remove or cause the same to be removed, by calling to their aid any number of citizens as they may deem necessary for the purpose of removing the same; and in case any citizen as aforesaid, who shall be called on, and who shall refuse to aid and assist in removing such dam or other obstruction, shall for every such neglect or refusal forfeit and pay the sum of ten dollars, to be recovered before any court having competent jurisdiction thereof; one half shall be applied to the improvement of the navigation of the said river, and the other half to the commissioners aforesaid.

And be it further enacted, that when any of the aforesaid obstructions shall have been removed, and

the said shoal shall thereafter be obstructed by any dam or dams, trap or traps, or any other obstructions other than such as shall at all times be admitted of by the said commissioners or a majority of them, the person or persons so offending shall forfeit and pay the sum of fifty dollars for every twelve hours such obstruction shall remain unremoved, and in proportion to that sum for a longer or shorter time, to be recovered before any court, having competent jurisdiction thereof, one half to be paid to the informer, and the other half to be applied to the improving of the navigation of said river.

And be it further enacted, that the commissioners which may at any time hereafter be appointed for the purposes contemplated by this act, shall be composed of persons residing above the aforesaid shoal, and a majority of the whole number shall reside in the counties of Madison and Franklin; and in case of the death, removal, or refusal to serve, of the whole or any part of the said commissioners, the Inferior court of the county, where the same shall happen, shall on application of any one of said commissioners, proceed to appoint others in their place or stead, to act until the meeting of the next General Assembly thereafter, and until successors shall have been appointed by law.

And be it further enacted, that one third of all other parts of the said river, including the main channel or current thereof, from the confluence of the same with the Savannah river to the mouth of Hudson's river in Franklin county, shall be kept clear of all kind of obstructions whatsoever, and any person who has heretofore obstructed said current or main channel as aforesaid, or any person who may claim the benefits derived from such obstructions, and who shall not remove the same before the first day of March next, shall for every twelve hours the same may remain unremoved thereafter, forfeit and pay the sum of fifty dollars, to be recovered before any court having competent jurisdiction thereof, one half to the informer, the other half to be applied to the improvement of the navigation of said river; and the said commissioners shall have power and authority to remove any and all such obstructions as pointed out by this act, for removing obstructions in the aforesaid shoal.

And be it further enacted, that in case any person or persons shall after the passage of this act, obstruct any part of the main current or channel as aforesaid, he, she or they shall forfeit and pay the sum of fifty dollars for every twelve hours the same shall remain unremoved, to be recovered before any court having competent jurisdiction thereof, one half to the informer, the other half to be applied to the improvement of the navigation of said river; and the said commissioners or a majority of them shall proceed to cause the same to be removed in the same manner as pointed out by this act, for removing obstructions in said river.

And be it further enacted, that Philip Shackelford, John Wilhight, Isaac David, Andrew M'Iver

and Archelus Moon of the county of Madison, and Richard Boud, William Redwine and Joseph Bond of the county of Franklin, & Charles Woodson Christian of the county of Elbert, be and they are hereby appointed commissioners of said river, in addition to the commissioners appointed by an act, entitled an act to keep open the main channel of Broad river, from the confluence of the same with Savannah river to the mouth of Hudson's river in Franklin county, passed the 13th day of December, 1809.

Whereupon the said report was agreed to as amended, and the said bill was read the third time and passed.

The Senate took up the several messages from the house of Representatives, and the amendment made to the bill, to alter the mode of holding the Mayor's court in Savannah, was agreed to ;

The bills severally read the first time—and

The several resolutions and reports of the joint committee on Finance concurred in, except the report on the petition of John Scriven, which was ordered to lie on the table.

The Senate took up and disagreed to the report of the committee on the petition of the citizens of Milledgeville.

The Senate took up the resolution on the subject of the Penitentiary system, which was amended & agreed to in the following words, to wit :

Whereas the penal code of this state, as adapted to the Penitentiary system, requires revision and amendment;

Be it therefore resolved, that his Excellency the Governor be and he is hereby authorized and required, to employ fit and proper persons (not exceeding three) to compile a code of criminal law, adapted to the Penitentiary system, & that he lay the same before the next General Assembly for their approval, amendment or dissent, and that he pay the expences of the same out of the contingent fund.

The Senate took up and agreed to the report of the committee on the bill for the better regulation of boats and boats crews, navigating the Savannah river, &c. and the said bill was read the third time and passed.

On motion of Mr. Wimberly ;

*Resolved*, That John Flemming, be, and he is hereby appointed a Notary Public for the town of Marion, in the county of Twiggs.

Mr. Wimberly gives notice that he will on to-morrow, move for the appointment of a committee, to prepare and report a bill to amend the several road laws of this state, so far as respects the county of Twiggs.

Adjourned 'till 10 o'clock to-morrow morning.

WEDNESDAY, 29th November, 1815.

On motion of Mr. Freeman,

To reconsider the journal of yesterday, so far as

respects the report of the committee on the petition of the citizens of Milledgeville, it was determined in the affirmative.

Mr. Bracewell had leave to report instanter, a bill to amend an act, to incorporate the town of Hartford, which was read the first time.

Mr. Charlton had leave to report instanter, a bill to divorce Matthew Shearer and Rebecca his wife, which was read the first time.

The Senate took up and agreed to the resolution introduced by Mr. Piles on the 14th inst. on the subject of negroes plundered by the enemy in the late war, in the Eastern part of this state.

A message from the house of Representatives, by Mr. Clayton their Clerk.

Mr. President,

The house of Representatives have passed a bill supplementary to an act to regulate the pilotage of the bar and river of Savannah—and

A bill for the relief of John Moore of Jasper county—and he withdrew.

Ordered, that the said message do lie on the table.

Mr. Parke presented a memorial from Joseph Phillips, which was read and referred to a select committee, consisting of messrs. Parke, Cook and Ware.

Mr. Wimberly agreeably to notice, moved for the appointment of a committee to report a bill to amend the several road laws, so far as respects the county of Twiggs.

Ordered, that messrs. Wimberly, Hamilton & Bracewell be that committee.

The Senate took up the resolution introduced by Mr. Flournoy on the 21st inst. which was amended and agreed to as follows :

*Resolved*, That the Governor is and shall be authorized to discharge any demand that may be made on this state by the General Government for Direct Tax, in the way that may appear to him most expedient for the benefit of the community, and that an appropriation be made for the payment of the third Direct Tax.

A message from his Excellency the Governor, by Mr. Carey his Secretary.

Mr. President,

I am directed by his Excellency the Governor to lay before this branch of the Legislature a Communication—and he withdrew.

The Senate took up the message, and the Communication being read, is as follows, to wit :

EXECUTIVE DEPARTMENT, GEORGIA,  
MILLEDGEVILLE, 29th NOVEMBER, 1815.

To the Senate and House of Representatives.

I herewith transmit to both branches of the General Assembly, a statement of the arms, accoutrements and ammunition belonging to this state, in conformity to their resolution of the 17th inst.

Whilst this subject is before me, I take the liberty of making a few observations.

It will I am persuaded be readily admitted, that our present supply of arms and accoutrements, bears no reasonable proportion to our effective militia; neither can that supply be considered as adequate to our wants in case of another war. The quantity will however annually increase by the operations of the act of Congress, for arming the militia of the United States.

Whether the state can safely rely upon this resource, is a question which I submit to the wisdom of the Legislature for a decision. But if it be considered that field artillery, is essential in the organization of an army, and for the defence of our country; and I presume no one will doubt it; then, I must seriously recommend to the Legislature, the purchase of some brass pieces of suitable caliber for field service.

By the statement now submitted, it will be seen that the state may be said to be entirely without artillery of any description, and the present is undoubtedly a favourable time for the accomplishment of this object.

Of powder and lead it is believed, that a supply can be got on short notice at any time, but it will be proper to procure with the guns, the shot necessary for their supply in the field.

I also lay before the Legislature, copies of a letter received at this department from the hon. Judge Berrien, of the Eastern district, and of the presentments of the Grand Jury of Camden county, having reference to a subject, which merits the attention of the Legislature.

Respectfully,

D. B. MITCHELL.

Ordered, that the said Communication and the accompanying documents do lie on the table.

The Senate resolved itself into a committee of the whole on the bill to revise, amend and consolidate the several militia laws of this state, and to adapt the same to the acts of the Congress of the United States—Mr. Montgomery in the chair—Mr. President resumed the chair, and Mr. Montgomery reported that they had gone thro' the same with amendments.

Ordered that the said report do lie on the table.

On motion of Mr. Wimberly,

Resolved, That James Hutchinson be, and he is hereby appointed a Commissioner of the public buildings of the county of Twiggs, in the place of Miles Gathwright, dec'd.

Mr. Hatcher gives notice that he will on to-morrow move for the appointment of a committee to report a bill, to incorporate the town of Irwinton in the county of Wilkinson.

On motion of Mr. Charlton.

Resolved, That his Excellency the Governor be, and he is hereby directed to have consolidated and compiled in a pamphlet form, the several patrol laws in force in this state, and to distribute the said compila-

tion in such manner as may be best calculated to give it general publicity.

Mr. Hudspeth from the joint committee on Finance reported on the report of the Commissioners of the Penitentiary edifice, which was read—and

Ordered to lie on the table.

The following bills were severally taken up and read the second time, to wit :

A bill to be entitled an act, to dispose of slaves arriving within the jurisdiction of this state, contrary to the laws of the United States.

A bill to be entitled an act, to divorce and separate Willie Jones and Penny his wife.

A bill to be entitled an act, to separate and divorce Thomas Anderson and Polly Anderson his wife.

A bill to be entitled an act, more particularly to define and extend the power of Grand Juries in correcting lists of Tax Returns.

A bill to be entitled an act, to amend an act, entitle an act, to regulate the town of Darien in the county of McIntosh.

A bill to be entitled an act, to secure to John Beel his heirs and assigns, the right to erect a bridge across Savannah river, at his own ferry.

A bill to be entitled an act, to authorise the trustee of Richmond academy, to establish a seminary of learning on the Sand-Hills, near Augusta, to be held and considered as a branch of the Richmond academy.

A bill to be entitled an act, to compel Clerks of the Courts of Ordinary to give bond and security for the faithful performance of their duty.

A bill to sell and dispose of the court-house, jail and two acres of land in Emanuel formerly Montgomery county.

A bill to compel owners of old or infirm slaves to maintain them.

A bill to authorize the Inferior court of Jasper county to levy an extra tax.

A bill to alter the law of libel, &c.

A bill to add a part of Jasper to Morgan county, &

A bill to quiet the claims of lot-holders in Louisville

A bill to authorize persons having grants to land without plats to have those lands re-surveyed.

A bill to amend an act, for regulating the wharves and shipping in the several ports of this Province, &

A bill to alter an act, prescribing the mode of manumitting slaves, &c.

A bill for the better regulation of the town of Athens &c.

A bill to amend an act, regulating roads in the state, &c.—and

A bill to amend the late Land Lottery act.

Adjourned 'till 9 o'clock to-morrow morning.

THURSDAY, 30th November, 1815.

Mr. Talbot presented a petition from James Patte



son, which was read and referred to the committee on Finance.

The bill to amend an act, to incorporate the town of Hartford, &c. was read the second time—and

Ordered for a third reading.

The bill to divorce Mathew Shearer and Rebecca his wife, was read the second time—and

Ordered for committee of the whole.

The Senate resolved itself into a committee of the whole, on the bill to amend the several estray laws—mr. Cook in the chair—mr. President resumed the chair, and mr. Cook reported progress and had leave to sit again.

The Senate resolved itself into a committee of the whole, on the bill to repeal the 4th section of an act, to alter the time of holding the Superior courts in three several circuits in this state, &c. passed 15th December, 1809—mr. Walker in the chair—mr. President resumed the chair, and mr. Walker reported that they had gone thro' the same with an amendment.

The Senate took up and agreed to the report with an amendment.

Whereupon the said bill was read the 3d time & passed.

The Senate resolved itself into a committee of the whole, on the bill for the relief of Bird Jackson Lanier and John Jefferson Lanier—mr. Nowlan in the chair—mr. President resumed the chair, and mr. Nowlan reported that they had gone thro' the same without any amendment.

The Senate took up and agreed to the report, and the bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to dispose of slaves arriving within the jurisdiction of this state, contrary to the Laws of the United States—mr. Daniel in the chair—mr. President resumed the chair, and mr. Daniel reported that they had gone thro' the same without any amendment.

The Senate took up and agreed to the report, and the said bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to add a part of the county of Hancock to the county of Baldwin—mr. Milton in the chair—mr. President resumed the chair, and mr. Milton reported that they had gone thro' the same without any amendment.

The Senate took up and agreed to the report, and the bill was read the third time, and on the question shall this bill now pass? it was determined in the affirmative, and the yeas and nays being required, are yeas 19—nays 15.

Those who voted in the affirmative are Messrs.

Bracewell,	Freeman,	Parke,
Charlton,	Hamilton,	Robinson,
Cook,	Hatcher,	Swain,
Cuthbert,	Knight,	Talbot, and
Daniel,	Lane,	Williams.
Dooly,	Moore,	
Flournoy,	Montgomery,	

Those who voted in the negative are Messrs.

Blackmon,	Hardie,	Newsom,
Bird,	Harris,	Nowlan,
Cleveland,	Hudson,	Walker,
Foster,	Hudspeth,	Ware, and
Hardin,	Milton,	Wimberly.

The Senate took up the report of the committee of the whole, on the bill vesting the election of the Health officer and Harbour master for the port and city of Savannah, in the Mayor and Aldermen and Commissioners of Pilotage of said city—and

The same being read, the amendments made by the committee were disagreed to, and the bill was read the third time and passed.

The Senate took up the report of the committee of the whole, on the bill to establish an uniform mode of practice in the several Courts of Law and Equity in this state, and the same being read, mr. Cook moved the following bill as an amendment to the report of the committee, to wit :

A bill to be entitled an act to establish an uniform mode of practice in the several Courts of Law and Equity in this State.

Whereas, a practice has and does prevail by the Judges of the Superior courts of this state, establishing rules for the Government of the Courts of Law and Equity in their respective circuits—And whereas, from their not meeting in Convention to establish such rules much diversity of practice prevails ; for remedy whereof ;

Be it enacted by the Senate and House of Representatives of the State of Georgia in General Assembly met, and it is hereby enacted by the authority of the same, that from and immediately after the passing of this act, the rules of court, which have been or hereafter may be established by the said Judges for the Government of said courts, shall have no binding force or effect, until the same shall have been submitted to and sanctioned by the next Legislature, and at every succeeding Legislature, next after the adoption of any additional rules for the Government of said courts.

And be it further enacted, that it shall be the duty of the Judges of the Superior courts of the several circuits of this state, to lay before the next General Assembly, the several rules of practice established in their respective circuits, to be approved of or rejected by the said Legislature ; and such as shall be approved of and sanctioned by the Legislature, shall be incorporated in the laws of the session, and such as are rejected, shall have no force or effect thereafter in any of said courts any law, usage or customs to the contrary notwithstanding.

And on the question to agree to the same, it was determined in the affirmative, and the yeas and nays being required, are yeas 20—nays 16.

Those who voted in the affirmative are Messrs.

Bracewell,	Cleveland,	Cook,
Cullens,	Cuthbert,	Daniel,

Dooly,	Hudspeth,	Newsom,
Flournoy,	Knight,	Robinson,
Foster,	Lane,	Swain, and
Hamilton,	Moore,	Williams.
Hatcher,	Montgomery,	

Those who voted in the negative are Messrs.

Blackmon,	Harris,	Talbot,
Bird,	Hudson,	Walker,
Charlton,	Milton,	Ware, and
Freeman,	Nowlan,	Wimberly.
Hardin,	Parke,	
Hardie,	Piles,	

The said bill was then read the third time, and on the question shall this bill now pass? it was determined in the affirmative, and the yeas and nays being required, are yeas 20—nays 13.

Those who voted in the affirmative are Messrs.

Bracewell,	Flournoy,	Laue,
Cleveland,	Foster,	Montgomery,
Cook,	Freeman,	Newsom,
Cullens,	Hamilton,	Robinson,
Cuthbert,	Hatcher,	Swain, and
Daniel,	Hudspeth,	Williams.
Dooley,	Knight,	

Those who voted in the negative are Messrs.

Bird,	Milton,	Walker,
Charlton,	Nowlan,	Ware, and
Hardin,	Parke,	Wimberly.
Harris,	Piles,	
Hudson,	Talbot,	

The Senate took up the report of the committee of the whole, on the bill to alter the 15th section of the 4th article of the Constitution, which was amended, and the said bill read the third time, and on the question shall this bill now pass? the yeas and nays being required, are yeas 17—nays 16.

Those who voted in the affirmative are Messrs.

Blackmon,	Hardin,	Nowlan,
Bird,	Harris,	Parke,
Charlton,	Hudson,	Talbot,
Cook,	Hudspeth,	Walker, and
Flournoy,	Milton,	Ware.
Hamilton,	Moore,	

Those who voted in the negative are Messrs.

Bracewell,	Foster,	Newsom,
Cleveland,	Freeman,	Robinson,
Cullens,	Hatcher,	Swain, and
Cuthbert,	Knight,	Wimberly.
Daniel,	Lane,	
Dooley,	Montgomery,	

There not being a majority required by the Constitution, the bill was lost.

The bill to divorce Thomas Anderson and Polly his wife, was read the third time, and on the question shall this bill now pass? the yeas and nays being required, are yeas 18—nays 14.

Those who voted in the affirmative are Messrs.

Bracewell,	Charlton,	Cleveland,
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Cullens,	Lane,	Robinson,
Flournoy,	Milton,	Swain,
Freeman,	Moore,	Talbot,
Hamilton,	Newsom,	Walker, and
Hardin,	Parke,	Wimberly.

Those who voted in the negative are Messrs.

Blackmon,	Dooley,	Hudspeth,
Bird,	Foster,	Knight,
Cook,	Harris,	Montgomery, and
Cuthbert,	Hatcher,	Ware.
Daniel,	Hudson,	

There not being the majority required by the Constitution, the bill was lost.

The bill to divorce Willie Jones and Penny his wife, was read the third time, and on the question shall this bill now pass? the yeas and nays being required, are yeas 21—nays 14.

Those who voted in the affirmative are Messrs.

Bracewell,	Hardin,	Parke,
Charlton,	Hardie,	Piles,
Cleveland,	Lane,	Robinson,
Cullens,	Milton,	Swain,
Flournoy,	Moore,	Talbot,
Freeman,	Newsom,	Walker, and
Hamilton,	Nowlan,	Wimberly.

Those who voted in the negative are Messrs.

Blackmon,	Dooley,	Hudspeth,
Bird,	Foster,	Knight,
Cook,	Harris,	Montgomery, and
Cuthbert,	Hatcher,	Ware.
Daniel,	Hudson,	

There not being a majority required by the Constitution, the bill was lost.

The following bills were severally read the third time and passed, to wit:

A bill to amend an act, regulating roads in this state, &c.

A bill to authorize the trustees of Richmond academy to establish a seminary of learning on the Sand Hills near Augusta.

A bill for the better regulation and government of the town of Athens.

A bill to quiet the claim of lot-holders in Louisville, &c.

A bill to authorize the Inferior court of Jasper county to levy an extra tax.

A bill to compel Clerks of the Courts of Ordinary in this state to give security, &c.

A bill to regulate the town of Darien.

A bill to define and extend the powers of Grand Jurors in certain cases—and

A bill to compel owners of old or infirm slaves to maintain them, with an amendment.

The Senate resolved itself into a committee of the whole, on the bill for adding a part of Jasper to Morgan county—mr. Freeman in the chair—mr. President resumed the chair, and mr. Freeman reported that they had gone thro' the same with amendments.

The Senate took up and agreed to the report, and the bill was read the third time and passed.

The Senate took up and agreed to the report of the committee of the whole, on the bill to relieve the citizens of this state from paying taxes for property plundered by the British, &c.

Whereupon the said bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to alter the law of libel, &c.—Mr. Parke in the chair—Mr. President resumed the chair, and Mr. Parke reported that they had gone thro' the same with an amendment.

The Senate took up and agreed to the report of the committee, and the bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to authorize persons having grants to lands without plats, to have their lands re-surveyed—Mr. Milton in the chair—Mr. President resumed the chair, and Mr. Milton reported that they had gone thro' the same without any amendment.

The Senate took up and agreed to the report, and the said bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to amend an act, to authorize fortunate drawers in the late Land Lotteries to take out their grants, &c. Mr. Hamilton in the chair—Mr. President resumed the chair, and Mr. Hamilton reported progress and had leave to sit again in June next.

The Senate resolved itself into a committee of the whole, on the bill to secure to John Beck the right of building a bridge across Savannah river at his own ferry—Mr. Knight in the chair—Mr. President resumed the chair, and Mr. Knight reported that they had gone thro' the same without any amendment.

The Senate took up and agreed to the report, and the said bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to amend an act prescribing the mode of manumitting slaves in this state—Mr. Hardin in the chair—Mr. President resumed the chair, and Mr. Hardin reported that they had gone thro' the same without any amendment.

Ordered that the said report do lie on the table.

The Senate resolved itself into a committee of the whole, on the bill to establish a Flour Inspection in the town of Darien in the county of McIntosh—Mr. Hatcher in the chair—Mr. President resumed the chair, and Mr. Hatcher reported that they had gone thro' the same without any amendment.

The Senate took up and agreed to the report, and the said bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to sell and dispose of the courthouse and jail and two acres of land in Emanuel county—Mr. Cullens in the chair—Mr. President resumed the chair, and Mr. Cullens reported that they had gone

thro' the same without any amendment.

The Senate took up and agreed to the report, and the bill was read the third time and passed.

The Senate took up the report of the committee on the bill for the relief of William O. Whitney and Nathaniel Payne, and the same was read and agreed to, and the bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill for the relief of certain widows and orphans—Mr. Daniel in the chair—Mr. President resumed the chair, and Mr. Daniel reported that they had gone thro' the same without any amendment.

Ordered that the said report lie on the table the balance of the session.

Ordered that the bill to authorize the several county Surveyors in Glynn, Wayne and Camden counties to re-survey lands, &c. do lie on the table the balance of the session.

The Senate took up and agreed to the report of the committee to alter and amend the 5d section of an act, prescribing the mode of manumitting slaves—and

The said bill was read the third time and passed.

Mr. Hatcher agreeably to notice moved for the appointment of a committee to prepare and report a bill to incorporate the town of Irwinton;

Ordered that Messrs. Hatcher, Cullens and Harris be that committee.

The message from the House of Representatives of yesterday was taken up and the several bills read the first time.

A message from the house of Representatives, by Mr. Clayton their Clerk.

*Mr. President,*

The House of Representatives have passed a resolution on the subject of the conduct of the Judges of the Superior courts of this state, in declaring unconstitutional the alleviating law, at a convention in January last, at Augusta, &c.—and he withdrew.

Ordered that the said message do lie on the table.

A message from his Excellency the Governor, by Mr. Porter, his Secretary.

*Mr. President,*

I am directed by his Excellency the Governor to inform this branch of the Legislature, that he has approved of and signed a resolution on the subject of the petition of Raymond Demere and others—and

One requesting the Secretary of State, Treasurer, Surveyor and Comptroller Generals, to make out a list of the books of record in their respective offices, &c. and he withdrew.

Mr. Foster had leave to report instantler, a bill to alter and amend an act, to regulate escheats, &c. which was read the first time.

On motion of Mr. Charlton,

*Resolved,* That John Hughes and William H. Greene, be, and they are hereby appointed Lumber measurers for the city of Savannah.

Mr. Charlton laid on the table the following resolution:

**Resolved, That** he and they are hereby appointed a board, for the purpose of framing and digesting a Military System, for the militia of this state; and that they do, so soon as they shall have completed the said system, report the same to his Excellency the Governor, whose duty it shall be to submit it to the next General Assembly, with his opinion thereon.

Adjourned 'till 10 o'clock to-morrow morning.

**FRIDAY, 1st December, 1815.**

Mr. Hardin moved to reconsider the minutes of yesterday, so far as respects the passage of the bill to be entitled an act, to establish an uniform mode of practice in the several Courts of Law and Equity in this state. The Senate rejected the motion, and the yeas and nays being required, are yeas 16—nays 17.

Those in the affirmative, are messrs.

Blackmon,	Hardin,	Talbot,
Bird,	Harris,	Walker,
Charlton,	Hudson,	Ware, and
Cuthbert,	Milton,	Williams.
Freeman,	Nowlan,	
Hamilton,	Parke,	

Those in the negative, are messrs.

Bracewell,	Flournoy,	Moore,
Cleveland,	Foster,	Montgomery,
Cook,	Hatcher,	Robinson,
Cullens,	Hudspeth,	Swain, and
Daniel,	Knight,	Wimberly.
Dooley,	Lane,	

Mr. Hudspeth moved that the minutes of yesterday be reconsidered so far as respects the postponement of the bill to be entitled an act, to amend an act, to authorize fortunate drawers in the late Land Lotteries to take out their grants, &c.; on the motion, the minutes were reconsidered, and the bill ordered to lie on the table.

Mr. Foster from the joint committee, appointed to inquire into the conduct of the Bank of Augusta, for suspending specie payments,

*Reported*, which was read and ordered to lie on the table.

The bill to be entitled an act, to amend an act, entitled an act, to incorporate the town of Hartford, in the county of Pulaski, and to vest certain powers in the Commissioners thereof, was read the third time and passed.

The bill to be entitled an act, to promote Science and Literature in the State of Georgia—and

The bill to authorize his Excellency the Governor, to pay out of the contingent fund a certain sum, for the purpose of defraying in part the expence of guarding Thomas Dixon, confined in the Jail of Warren county, were taken up—and

Ordered to lie on the table for the balance of the Session.

The Senate resolved itself into a committee of the whole, on the bill to repeal an act, entitled an act, to amend an act, entitled an act, for regulating wharfs and shipping in the several ports of this province, &c.—Mr. Flournoy in the chair—Mr. President resumed the chair, and Mr. Flournoy reported that they had gone through the same without any amendment.

Ordered, that the report do lie on the table.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to separate and divorce Matthew Shearer and Rebecca Shearer his wife—Mr. Nowlan in the chair—Mr. President resumed the chair, and Mr. Nowlan reported, that they had gone thro' the bill without amendment:

Whereupon, the bill was taken up and read the third time, and on the question, shall this bill now pass? It was determined in the affirmative, and the yeas and nays being required, are yeas 23—nay 9.

Those in the affirmative, are messrs.

Bracewell,	Hamilton,	Nowlan,
Charlton,	Hardin,	Robinson,
Cleveland,	Hudspeth,	Swain,
Cullens,	Knight,	Talbot,
Cuthbert,	Lane,	Walker,
Dooley,	Milton,	Williams, and
Flournoy,	Moore,	Wimberly.
Freeman,	Newsom,	

Those in the negative, are messrs.

Blackmon,	Daniel,	Hudson,
Bird,	Harris,	Montgomery, and
Cook,	Hatcher,	Ware.

The following bills were taken up and severally read the second time—and

Ordered for a third reading, viz:

The bill to be entitled an act, supplementary to an act, entitled an act, to regulate the Pilotage of vessels to and from the several ports of this state—and

The bill to alter and amend the first section of an act, to regulate escheats in this state, and to appoint escheators, passed the fifth day of December, 1801.

A message from the house of Representatives by Mr. Clayton their Clerk:

*Mr. President,*

The house of Representatives have passed a bill to be entitled an act, to authorize the Inferior courts of Lincoln and Wilkes counties to levy an extra tax—and

A bill to be entitled an act, for the relief of Elijah Wright.

They have agreed to all the amendments of Senate made to the bill to authorize Shaler Hillyer of Wilkes county, to build a mill dam across Broad river, at the place commonly called Muckle's ferry shoals; and have agreed to the amendments of Senate, to the bill to alter the times of holding the Superior courts in the Middle circuit, with amendments.

They have concurred in the resolution authorizing the Governor to employ fit persons to compile a code

of criminal law, adapted to the Penitentiary system ; and  
 Concurred in the resolution, appointing John Flem-  
 ming a Notary Public for the town of Marion, in the  
 county of Twiggs—and he withdrew.

The Senate took up the message, and the amend-  
 ments made by the house of Representatives, to the  
 bill, to alter the times of holding the Superior courts in  
 the Middle, Eastern & Western circuits of this state,  
 were agreed to, and the two several bills were read  
 the first time.

The Senate took up the bill to be entitled an act to  
 authorize Notley Whitcomb, to build a Merchant mill ;  
 and on motion that this bill do lie on the table for the  
 balance of the Session, it was determined in the affir-  
 mative, and the yeas and nays being required, are yeas  
 17—nays 16.

Those in the affirmative, are messrs.

Blackmon,	Hamilton,	Moore,
Cleveland,	Hardin,	Montgomery,
Cuthbert,	Hatcher,	Robinson,
Daniel,	Hudson,	Talbot, and
Dooley,	Hudspeth,	Wimberly.
Flournoy,	Lane,	

Those in the negative, are messrs.

Bird,	Freeman,	Swain,
Bracewell,	Harris,	Walker,
Charlton,	Knight,	Ware, and
Cook,	Milton,	Williams.
Cullens,	Nowlan,	
Foster,	Parke,	

The bill to be entitled an act, for the relief of John  
 Moore, of Jasper county, was read the second time—  
 and

Ordered for committee of the whole.

Mr. Walker had leave to report instantly, a bill to  
 be entitled an act, to authorize the Justices of the Infe-  
 rior court of the county of Richmond, or a majority of  
 them, to sell the Jail of said county, and erect another,  
 which was read the first time.

Mr. Hatcher from the committee, reported a bill to  
 be entitled an act, to incorporate the town of Irwinton,  
 in the county of Wilkinson, and to vest certain pow-  
 ers in the Commissioners thereof, which was read the  
 first time.

Mr. Charlton reported instantly, a bill to be entitled  
 an act, to authorize the Justices of the Inferior courts  
 of the several counties of this state, to establish Jail  
 bounds for prisoners confined for debt, in the several  
 Jails of said counties, which was read the first time.

Mr. Nowlan from the committee on enrolled bills,  
 reported as duly enrolled and signed by the Speaker  
 the following acts, viz :

An act for the better regulation of boats and boats  
 crews navigating the Savannah river, from the city of  
 Augusta to the head waters of said river—and

An act to alter the mode of holding the Mayor's  
 court in the city of Savannah, and to increase the ju-  
 risdiction thereof, which were presented to and seve-

rally signed by the President of Senate.

Ordered that the committee carry the said acts to his  
 Excellency the Governor for his revision.

Adjourned 'till 10 o'clock to-morrow morning.

## SATURDAY, 2nd December, 1815..

Mr. Harris had leave to be absent from Senate un-  
 til Wednesday next 12 o'clock.

The Senate again resolved itself into a committee  
 of the whole, on the bill to be entitled an act, to amend  
 the several Estray Laws—Mr. Cuthbert in the chair  
 —Mr. President resumed the chair, and Mr. Cuthbert  
 reported that they have gone thro' the bill with an  
 amendment.

The Senate took up the report, which was amended  
 and agreed to.

Whereupon the bill was read the third time and  
 passed, under the title of a bill to be entitled an act,  
 to amend the several Estray Laws now in force in this  
 state, so far as respects the several counties therein  
 named.

The Senate resolved itself into a committee of the  
 whole on the bill to incorporate a company for the pur-  
 pose of opening the rivers Oconee, Ocmulgee and Ala-  
 tamaha—Mr. Talbot in the chair—Mr. President re-  
 sumed the chair, and Mr. Talbot reported that they a-  
 mended the bill by substituting in lieu thereof, a bill to  
 be entitled an act, to open and improve the navigation  
 of the rivers Ocmulgee, Oconee, Savannah and Alata-  
 maha, and made further progress therein, and beg leave  
 to sit again.

The Senate took up the report, which was read and  
 agreed to.

The Senate resolved itself into a committee of the  
 whole, on the bill to be entitled an act, to divorce  
 Nancy Brown and Solomon Brown her husband—Mr.  
 Cleveland in the chair—Mr. President resumed the  
 chair, and Mr. Cleveland reported that they had gone  
 through the bill with amendments.

The Senate took up the report which was amended  
 and agreed to.

Whereupon the said bill was read the third time,  
 and on the question shall this bill now pass ? it was  
 determined in the affirmative, and the yeas and nays  
 being required, are yeas 22—nays 10.

Those in the affirmative, are messrs.

Bracewell,	Hardin,	Robinson,
Charlton,	Hatcher,	Swain,
Cleveland,	Lane,	Talbot,
Cullens,	Milton,	Walker,
Cuthbert,	Moore,	Williams, and
Flournoy,	Newsom,	Wimberly.
Freeman,	Nowlan,	
Hamilton,	Parke,	

Those in the negative, are messrs.

Blackmon,	Bird,	Cook,
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Daniel, Harris, Montgomery, and  
Dooley, Hudson, Ware.  
Foster, Hudspeth,

There being a constitutional majority, the bill passed under the title of an act, to divorce Nancy Brown and Solomon Brown her husband, and Samuel Berry and Nancy his wife.

The Senate took up the report of the committee of the whole, on the bill to amend the several militia laws of this state, and the report was amended, by inserting in lieu thereof, a bill to be entitled an act, to amend an act, entitled an act, to amend an act, entitled an act, to revise, amend and consolidate the several militia laws of this state, and to adapt the same to the act of the Congress of the United States, & to add a part of the third Division to the fifth, and a part of the fifth, Division to the third.

Whereupon the bill as amended, was read the third time, and on the question, shall this bill now pass? it was determined in the affirmative, and the yeas and nays being required, are yeas 26—nays 6.

Those in the affirmative are Messrs.

Blackmon,	Foster,	Parke,
Bird,	Hardin,	Robinson,
Bracewell,	Hudson,	Swain,
Charlton,	Hudspeth,	Talbot,
Cleveland,	Knight,	Walker,
Cook,	Milton,	Ware,
Daniel,	Moore,	Williams, and
Dooley,	Newsom,	Wimberly.
Flournoy,	Nowlan,	

Those in the negative are Messrs.

Cullens,	Hamilton,	Lane, and
Freeman,	Hatcher,	Montgomery.

The Senate proceeded to take up the resolution on the subject of the Judges, and on the question to take up the resolution, it was determined in the affirmative.

Whereupon, on the motion of Mr. Milton, that the Senate adjourn? it was determined in the negative, and the yeas and nays being required, are yeas 11—nays 21.

Those in the affirmative are Messrs.

Blackmon,	Hamilton,	Nowlan,
Bird,	Hardin,	Talbot, and
Charlton,	Hudson,	Walker.
Flournoy,	Milton,	

Those in the negative are Messrs.

Bracewell,	Foster,	Newsom,
Cleveland,	Hatcher,	Parke,
Cook,	Hudspeth,	Robinson,
Cullens,	Knight,	Swain,
Cuthbert,	Lane,	Ware,
Daniel,	Moore,	Williams, and
Dooley,	Montgomery,	Wimberly.

Mr. Cuthbert moved that the Senate now proceed to the reading the several bills on the table—on the ques-

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tion, it was determined in the negative, and the yeas and nays being required, are yeas 15—nays 17.

Those in the affirmative are Messrs.

Blackmon,	Freeman,	Nowlan,
Bird,	Hamilton,	Talbot,
Charlton,	Hardin,	Walker,
Cuthbert,	Hudson,	Ware, and
Flournoy,	Milton,	Wimberly.

Those in the negative are Messrs.

Bracewell,	Foster,	Montgomery,
Cleveland,	Hatcher,	Newsom,
Cook,	Hudspeth,	Robinson,
Cullens,	Knight,	Swain, and
Daniel,	Lane,	Williams.
Dooley,	Moore,	

Mr. Walker called up the bill to be entitled an act, to authorize the Justices of the Inferior court of Richmond county, to sell the present jail, &c. for a second reading.

A motion for adjournment; the yeas and nays being required, are yeas 13—nays 19.

Those in the affirmative are Messrs.

Blackmon,	Hamilton,	Talbot,
Bird,	Hardin,	Walker, and
Charlton,	Hudson,	Ware.
Flournoy,	Milton,	
Freeman,	Nowlan,	

Those in the negative are Messrs.

Bracewell,	Foster,	Newsom,
Cleveland,	Hatcher,	Robinson,
Cook,	Hudspeth,	Swain,
Cullens,	Knight,	Williams, and
Cuthbert,	Lane,	Wimberly.
Daniel,	Moore,	
Dooley,	Montgomery,	

On motion of Mr. Cuthbert,

That the Senate do now adjourn? it was determined in the affirmative, and the yeas and nays being required, are yeas 17—nays 16.

Those in the affirmative are Messrs.

Blackmon,	Freeman,	Parke,
Bird,	Hamilton,	Talbot,
Charlton,	Hardin,	Walker,
Cullens,	Hudson,	Ware, and
Cuthbert,	Milton,	Wimberly.
Flournoy,	Nowlan,	

Those in the negative are Messrs.

Bracewell,	Hatcher,	Newsom,
Cleveland,	Hudspeth,	Robinson,
Cook,	Knight,	Swain, and
Daniel,	Lane,	Williams.
Dooley,	Moore,	
Foster,	Montgomery,	

On motion,

That the Senate do adjourn until 10 o'clock on Monday morning next; the question was lost—whereupon it was moved to adjourn until Monday 9 o'clock—



on the question, it was determined in the affirmative, and the yeas and nays being required, are yeas 18—nays 15.

Those in the affirmative are Messrs.

Blackmon,	Freeman,	Parke,
Bird,	Hamilton,	Robinson,
Charlton,	Hardin,	Talbot,
Cullens,	Hudson,	Walker,
Cuthbert,	Milton,	Ware, and
Flournoy,	Nowlan,	Wimberly.

Those in the negative are Messrs.

Bracewell,	Foster,	Moore,
Cleveland,	Hatcher,	Montgomery,
Cook,	Hudspeth,	Newsom,
Daniel,	Knight,	Swain, and
Dooley,	Lane,	Williams.

Whereupon the President adjourned the Senate 'till Monday morning 9 o'clock.

#### MONDAY, 4th December, 1815.

*Mr. Parke* from the committee to whom was referred the petition of Jonas Fauche, reported, viz :

The committee to whom was referred the memorial of Captain Jonas Fauche, in behalf of himself and others—

*Report,* That it appears from an act of Congress passed the 5th of March 1792, and the letters of the Secretary of War, addressed to the Governor of Georgia, authorizing effectual provision for the defence of the frontier of this state, that the said memorialist and others, have rendered military services, authorized by the General Government, which have not been compensated, from the twenty third day of April, 1793, to the 24th day of July, 1794, inclusive. We do therefore seriously regret that the claims of the warworn soldier should be so long neglected.

Be it therefore resolved, That his Excellency the Governor be, and he is hereby required, to instruct our Senators in Congress and our Representation in the House of Representatives, to call on the Secretary at War, and prosecute the claims of our citizens, there pending, to a final settlement.

Ordered, that the report do lie on the table.

*Mr. Montgomery* called up the resolution from the house of Representatives, on the subject of the convention of the Judges at the city of Augusta.

*Mr. Daniel* moved to strike out of the resolution, the following words, to wit: "Yet we forbear to look with severity on the past; in consequence of Judicial precedents, calculated in some measure to extenuate the conduct of the Judges, and the hope that for the future, this explicit expression of public opinion will be obeyed."

*Mr. Dooley* moved the previous question, that is, shall the main question be now put? It was determined in the affirmative, and the yeas and nays being required, are yeas 18—nays 15.

Those in the affirmative, are messrs.

Bracewell,	Foster,	Montgomery,
Cleveland,	Hatcher,	Newsom,
Cook,	Hudspeth,	Robinson,
Cullens,	Knight,	Swain,
Daniel,	Lane,	Williams, and
Dooley,	Moore,	Wimberly.

Those in the negative, are messrs.

Blackmon,	Freeman,	Nowlan,
Bird,	Hamilton,	Parke,
Charlton,	Hudson,	Talbot,
Cuthbert,	Hardin,	Walker, and
Flournoy,	Milton,	Ware.

Whereupon, the President put the main question, shall this resolution now be concurred in? It was determined in the affirmative, and the yeas and nays being required, are yeas 18—nays 16.

Those in the affirmative, are messrs.

Bracewell,	Foster,	Montgomery,
Cleveland,	Hatcher,	Newsom.
Cook,	Hudspeth,	Robinson,
Cullens,	Knight,	Swain,
Daniel,	Lane,	Williams, and
Dooley,	Moore,	Wimberly.

Those in the negative, are messrs.

Blackmon,	Freeman,	Parke,
Bird,	Hamilton,	Talbot,
Byne,	Hardin,	Walker, and
Charlton,	Hudson,	Ware.
Cuthbert,	Milton,	
Flournoy,	Nowlan,	

*Mr. Daniel* presented a petition from Col. Daniel Newnan, which was read and referred to a special committee.

Ordered that messrs. Daniel, Freeman and Milton be that committee.

The bill to be entitled an act, to incorporate the town of Irwinton, in the county of Wilkinson, was taken up, read the second time—and

Ordered to a third reading.

The bill to be entitled an act, to authorize the Justices of the Inferior court of the county of Richmond, or a majority of them, to sell the Jail of said county, and erect another, was read the second time—and

Ordered for a third reading.

The bill to be entitled an act, to authorize the Justices of the Inferior courts of the several counties of this state, to establish Jail bounds, &c. was read the second time.

Ordered for committee of the whole.

The bill to authorize the Inferior courts of Lincoln and Wilkes counties, to levy an extra tax, was read the second time.

Ordered for committee of the whole.

The bill for the relief of Elijah Wright, was read the second time.

Ordered for a third reading.

The bill to be entitled an act, to alter and amend the

first section of an act, to regulate Escheats in this state, and to appoint Escheators, passed the fifth day of December, 1801, was read the third time and passed.

The bill to be entitled an act, supplementary to an act, entitled, an act, to regulate the pilotage of vessels, to and from the several ports of this state, was read the third time and passed.

The Senate resolved itself into a committee of the whole on the bill to be entitled an act, for the relief of John Moore of Jasper county—*Mr. Montgomery* in the chair—*Mr. President* resumed the chair, and *Mr. Montgomery* reported that they had gone through the bill without any amendment.

The Senate took up and agreed to the report.

Whereupon the said bill was read the third time and passed.

The Senate took up and agreed to the report of the committee of the whole, on the bill to be entitled an act, for the repeal of an act entitled, an act for amending an act entitled, an act for regulating the wharves and shipping in the several ports in this province, and ascertaining the rates of wharfage and shipping and storage, and also the duty of the Harbor master to put in force an act entitled, an act to amend an act, to prevent persons from throwing ballast or rubbish, in falling trees into the rivers and navigable creeks within this province, and for keeping clear the channels of the same.

Whereupon the said bill was read the third time and passed.

Ordered that the bill to compel the Banks of Augusta and Savannah, to pay specie for their notes, do lie on the table the balance of the Session.

*Mr. Charlton* called up the resolution in the words following, which was agreed to, to wit:

*Resolved*, That *Cols. Nicholas Long, Patrick Jack, H. V. Milton, Edward Harden, Captains William Jones, Willoughby Barton, and the Adjutant General, Col. Daniel Newnan*, be, and they are hereby appointed and requested to meet as a board, for the purpose of framing and digesting a Military System, for the militia of this state, and that they do so soon as they shall have completed the said system, report the same to his Excellency the Governor, whose duty it shall be to submit it to the next General Assembly with his opinion thereon.

The Senate took up the report of the committee on the memorial of *Jonas Fauche* and others, and the same being again read, was agreed to.

The honorable *Robert Flournoy* had leave to be absent from Senate for the remainder of the Session.

The bill to be entitled an act, to amend the 5th section of an act, supplementary to and amendatory of an act, entitled an act, to amend an act, to authorize the fortunate drawers in the late Land Lotteries in this state, to take out grants, &c. was taken up, read the third time and passed with an amendment.

A message from the house of Representatives, by *Mr. Clayton* their Clerk.

*Mr. President*,

The house of Representatives have passed the bill from Senate to repeal the 4th, 5th, 6th and 7th sections of the act to authorize the Courts of Equity in this state, to grant remedies in certain cases.

They have passed the following bills:

A bill to be entitled an act, to amend an act, entitled an act, for the better regulation of the town of Greensboro, &c.—and

A bill to establish and make permanent East street, in the town of Washington in the county of Wilkes—and he withdrew.

The Senate took up the message, and the bills were severally read the first time.

*Mr. Moore* had leave instant, to report a bill, to alter the time of holding the Inferior courts for the county of Jasper, which was read the first time.

On motion of *Mr. Montgomery*,

*Resolved*, That the Secretary inform the house of Representatives that the Senate are desirous to adjourn on Saturday next, *sine die*, and that they hope the Representative branch will so arrange their business as to be able to ensure that object.

The Senate took up and agreed to the following report, to wit:

The committee to whom was referred the petition of the citizens of Milledgeville, have had the subject under their consideration and recommend the following resolution:

Be it resolved by the Senate and house of Representatives of the state of Georgia, in General Assembly met, that his Excellency the Governor be, and he is hereby authorised and required to order a stay of execution on all judgments which have been or may hereafter be obtained in behalf of the state against the purchasers of Milledgeville lots for the term of six months from the date of said judgments, at the expiration of which time, the said purchasers or their securities, shall on the payment of one third of the principal and interest then due by them, be entitled to a further stay of twelve months; and at the expiration of that time, on the payment of one half of the debt then due, shall be entitled to a further stay of twelve months for the payment of the balance.

*Provided nevertheless*, That all persons claiming the indulgence hereby given, shall if required give additional security for the payment of their respective dues, and that nothing herein contained shall be so construed as to prevent securities from proceeding against their principals in the manner pointed out heretofore by the Legislature.

The Senate adjourned 'till 10 o'clock to-morrow morning.



**TUESDAY, 5th December, 1815.**

**Mr. Byne** moved that the minutes of yesterday be reconsidered, so far as respects the resolutions on the subject matter of convention of the Judges at Augusta—on the question to reconsider, it was determined in the negative, and the yeas and nays being required, are yeas 15—nays 18.

Those in the affirmative, are messrs.

Blackmon,	Freeman,	Parke,
Bird,	Hamilton,	Talbot,
Byne,	Hardin,	Walker, and
Charlton,	Hudson,	Ware.
Cuthbert,	Milton,	
Flournoy,	Nowlan,	

Those in the negative, are messrs.

Bracewell,	Foster,	Montgomery,
Cleveland,	Hatcher,	Newsom,
Cook,	Hudspeth,	Robinson,
Cullens,	Knight,	Swain,
Daniel,	Lane,	Williams, and
Dooley,	Moore,	Wimberly.

On motion,

**Resolved**, That the negative vote of the hon. William Byne, of the county of Burke, be entered on the Journal of Senate, relative to the resolutions from the house of Representatives, on the subject matter of the convention of the Judges at the city of Augusta.

**Resolved**, That the minutes of yesterday be reconsidered, so far as respects the resolution on the petition of the citizens of Milledgeville—the yeas and nays being required, are yeas 17—nays 14.

Those in the affirmative, are messrs.

Blackmon,	Dooley,	Nowlan,
Bird,	Hatcher,	Swain,
Byne,	Hudson,	Walker,
Cleveland,	Knight,	Ware, and
Cook,	Montgomery,	Wimbrly.
Daniel,	Newsom,	

Those in the negative, are messrs.

Charlton,	Hardin,	Parke,
Cuthbert,	Hudspeth,	Robinson,
Foster,	Lane,	Talbot, and
Freeman,	Milton,	Williams.
Hamilton,	Moore,	

**Mr. Robinson** had leave to introduce a bill to change the name of John Smith of Laurens county, to that of John Hudson, which was read the first time.

**Mr. Hatcher** presented a petition from Wilson Williams, which was read and referred to a special committee.

Ordered that Messrs. Hatcher, Daniel and Foster be that committee.

**Mr. Parke** from the committee, to whom was referred the petition of Joseph Philips, reported, which was read and ordered to lie on the table.

**Mr. Foster** presented a petition from James Hardin, which was read and referred to a special committee.

Ordered that Messrs. Foster, Freeman and Montgomery be that committee.

**Mr. Daniel** from the committee to whom was referred the petition of Daniel Newnan, reported, to wit;

The committee to whom was referred the petition of Col. Daniel Newnan, are of opinion that the prayer of the petitioner is reasonable, and ought to be granted; they therefore recommend that the sum of five hundred dollars be allowed him in the appropriation law, which shall be written off his bonds given to the state for the purchase of fractional surveys of land, by the Treasurer or other officer, in whose hands such bonds may be, and which shall be considered as a remuneration to him, the said Newnan, for the loss of a negro man on an expedition conducted by him against the Aulochewau Indians in the year 1812.

**Mr. Foster** moved to strike out "as a remuneration" &c. to the end of the report, and insert "donation for his meritorious services."

Whereupon **Mr. Dooley** moved for the previous question, which was put and carried, and the resolution was then read, and on the question to agree to the same, the yeas and nays being required, are yeas 18—nays 13.

Those in the affirmative are Messrs.

Byrd,	Dooley,	Montgomery,
Bracewell,	Freeman,	Parke,
Byne,	Hamilton,	Talbot,
Charlton,	Hudson,	Walker,
Cleveland,	Knight,	Williams, and
Daniel,	Lane,	Wimberly.

Those in the negative are Messrs.

Blackmon,	Hardin,	Robinson,
Cook,	Hatcher,	Swain, and
Cullens,	Hudspeth,	Ware.
Cuthbert,	Newsom,	
Foster,	Nowlan,	

**Mr. Foster** again moved that the resolution was in its shape and substance a donation, and that it be so considered by the Senate.

The President stated that the report was finally decided by the yeas and nays, and that **Mr. Foster's** motion was out of order;

**Mr. Foster** appealed from the decision of the chair, and on the question, it was decided that the decision was correct.

The Senate resolved itself into a committee of the whole on the bill to divorce Matthew Wood and Mourning his wife—**Mr. Hudspeth** in the chair—**Mr. President** resumed the chair, and **Mr. Hudspeth**, reported that they had gone thro' the same without any amendment.

The report was taken up and agreed to.

Whereupon the said bill was read the third time and on the question, shall this bill now pass? the yeas and nays being required are yeas 18—nays 14.

Those in the affirmative, are Messrs.

Bracewell,	Hardin,	Robinson,
Cleveland,	Lane,	Swain,
Charlton,	Milton,	Talbot,
Cullens,	Moore,	Waiker,
Bresman,	Newsom,	Williams, and
Hamilton,	Parke,	Wimberly.

Those in the negative are Messrs.

Blackmon,	Daniel,	Hudspeth,
Bird,	Dooley,	Knight,
Byne,	Foster,	Montgomery, and
Cook,	Hatcher,	Ware.
Cuthbert,	Hudson,	

There not being a constitutional majority the bill was lost.

Mr. Nowlan from the committee of enroled bills, reported as duly enroled and signed by the Speaker, the following acts, viz :

An act to authorize the Justices of the Inferior court of Jasper county to levy an extra tax for county purposes.

An act to alter the names of Aden Moss to that of Aden Powell, and William Henry Braziel, Henry William Braziel, and Ransom Braziel to that of William Henry Wright, Henry William Wright and Ambrose Ransom Wright, and James West to that of James Heard.

An act to relieve and exonerate William O. Whitney and Nathaniel Payne from their bond or recognizance, given to prosecute an indictment in behalf of the state of Georgia against Farly Thompson.

An act to authorize the trustees of the Richmond academy to establish a Seminary of learning on the Sand-Hills near Augusta, to be held and considered as a branch of the Richmond academy.

An act to establish a Flour Inspection in the town of Darien in the county of M'Intosh.

An act to compel Clerks of the Courts of Ordinary to give bond and security for the faithful performance of their duty.

An act to sell and dispose of the court-house and jail, and two acres of land, formerly the Court-house and Jail, and the public square of Montgomery county, now in the county of Emanuel.

An act to quiet and confirm the titles of the lot-holders in the town of Louisville, and for other purposes.

An act to amend an act, entitled an act, to regulate the town of Darien in the county of M'Intosh, passed the 22d December, 1808.

An act more particularly to define and extend the power of Grand Jurors in correcting lists of Tax Returns.

An act to alter and amend the 3d section of an act, entitled an act, prescribing the mode of manumitting slaves in this state.

An act to authorize Shaler Hillyer of the county of Wilkes to build a mill-dam across Broad river, at the shoals called and known by the name of Muckle's Ferry Shoals.

An act to secure to Ransom Carson, a citizen of Wayne county, the right and privilege of establishing a ferry across the river Satilla in said county.

An act for the better regulation and Government of the town of Athens in the county of Clark.

An act to secure to John Beck, his heirs and assigns the right to erect a bridge across Savannah river at his own ferry—and

An act to authorize persons having grants to lands without plats thereof, to have those lands re-surveyed, and the plats thereof recorded in the county and Surveyor General's office, which were presented to and signed by the President of Senate ; ordered that the committee do carry said acts to his Excellency the Governor for his revision.

A message from the house of Representatives, by Mr. Clayton their Clerk.

*Mr. President,*

The house of Representatives have agreed to all the amendments of Senate, to the following bills ;

The bill to alter the law of libel so far as to allow the defendant to justify and give the truth in evidence on indictment for the same.

The bill to add a part of Jasper county to the county of Morgan.

The bill to compel owners of old and infirm slaves to maintain them.

The bill for relieving the citizens of this state from paying taxes for property plundered and taken away by the British since the first day of January last.

They have concurred in the resolution appointing John Hughes and William H. Greene, Lumber measurers for the city of Savannah—and

In the appointment of James Hutchinson a commissioner of the public buildings in the county of Twiggs.

They have passed a resolution requesting a schedule of sundry claims on the Creek Indians to be laid before the General Assembly by his Excellency the Governor—and

A resolution requesting information from his Excellency the Governor, on the subject of money owing by the General Government to the state for the sale of Western lands—and

They have passed a bill to be entitled an act, to raise money by lottery for the purpose of aiding the funds of the Savannah Poor-House and Hospital—and

A bill to be entitled an act, to amend an act, to appoint commissioners for the better regulation and government of the town of Milledgeville, passed the 10th day of December, 1812—and he withdrew.

The Senate took up the message and concurred in the resolution on the subject of debt due for sale of Western lands ;

Ordered that the other resolution do lie on the table ; and the bills were severally read the first time.

A message from his Excellency the Governor, by Mr. Carey his Secretary.

*Mr. President,*

I am directed by his Excellency the Governor to return to this branch of the Legislature, a bill which he has assented to and signed, entitled an act, to alter the mode of holding the Mayor's court in the city of Savannah, and to increase the jurisdiction thereof—and he withdrew.

Ordered that the committee of enrolment do carry said act to the Secretary of States' office and see the great seal affixed to the same.

The Senate resolved itself into a committee of the whole, on the bill to authorize the Inferior courts of Lincoln and Wilkes counties to levy an extra tax—mr. Foster in the chair—mr. President resumed the chair, and mr. Foster reported that they had gone through the bill without any amendment.

The Senate took up the report, which was agreed to.

Whereupon the said bill was read the third time and passed.

The following bills were severally taken up and read the second time.

A bill to be entitled an act, to establish and make permanent East street, in the town of Washington in the county of Wilkes ;

Ordered to a third reading.

The bill to alter the time of holding the Inferior court for the county of Jasper.

Ordered to a third reading—and

The bill to be entitled an act, to amend an act, for the better regulation of the town of Greensboro', &c.

Ordered for committee of the whole.

The following bills were severally taken up, read the third time and passed, viz :

The bill to be entitled an act, to authorize the Justices of the Inferior court of the county of Richmond or a majority of them, to sell the jail of said county and erect another in a more fit and proper place.

The bill to be entitled an act, for the relief of Elisha Wright—and

The bill to be entitled an act, to incorporate the town of Irwinton in the county of Wilkinson and to vest certain powers in the commissioners thereof.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to authorize the Justices of the Inferior courts of the several counties of this state, to establish Jail bounds for prisoners confined for debt in the several jails of said counties—mr. Talbot in the chair—mr. President resumed the chair, and mr. Talbot reported that they had gone thro' the bill without any amendment.

The Senate took up the report, which was agreed to ;

Whereupon the bill was read the third time and passed.

Mr. Hudspeth from the committee on Finance, reported on the petitions of Mrs. Nancy Horton, and James Patterson, to wit :

The committee on Finance to whom was referred the petition of Mrs. Nancy Houghton ;

*Report, That they have had the same under consideration and find that it is reasonable and ought to be granted, and therefore recommend the following resolution, to wit :*

*Resolved, That the sum of fifty Dollars be appropriated to Mrs. Nancy Houghton, to be paid her by Warrant on the Treasurer from the Governor, upon her giving bond and security to indemnify the state against the payment of a warrant, issued the 3d of December, 1802, in favor of James Byrum for the said sum of Fifty Dollars, it appearing that the said warrant has been lost and consequently never taken in at the Treasury ; and the said report being read was agreed to.*

The committee on Finance to whom was referred the petition of James Patterson, have had the same under consideration, and beg leave to report, that it appears to them that James Patterson was Receiver of Tax Returns in Wilkes county in the year 1808 ; that from the oath of the said Receiver, and the statement of the Comptroller General, there is due the said Receiver the sum of one hundred and ninety-five dollars and eighty five cents for his services. They therefore recommend the following resolution :

*Resolved, That the sum of one hundred and ninety five dollars and eighty five cents be appropriated for the use and benefit of James Patterson, Receiver of Tax Returns for Wilkes county in 1808, and as full compensation for his services ; and the report being read was agreed to.*

Mr. Freeman again called up the resolution on the subject of purchasers of Milledgeville lots—and

Mr. Dooly moved that the Senate do disagree to the resolution—on the question, it was determined in the negative, and the yeas and nays being required, are yeas 14—nays 16.

Those in the affirmative, are messrs.

Blackmon,	Dooly,	Montgomery,
Bird,	Hatcher,	Swain,
Byne,	Hudson,	Ware, and
Cleveland,	Hudspeth,	Wimberly,
Cullens,	Knight,	

Those in the negative, are messrs.

Bracewell,	Freeman,	Parke,
Charlton,	Hamilton,	Robinson,
Cook,	Hardin,	Walker, and
Cuthbert,	Milton,	Williams.
Daniel,	Moore,	
Foster,	Newsom,	

Whereupon, the said resolution was amended, agreed to, and is as follows :

The committee to whom was referred the petition of the citizens of Milledgeville, have had the subject under their consideration and recommend the adoption of the following resolution ;

Be it resolved by the Senate and house of Representatives of the State of Georgia in General Assembly met, that his Excellency the Governor be, and he

herby authorized and required to order the stay of execution on all judgments which have been or may be obtained prior to the first day of April next, in behalf of the State, against the purchasers of Milledgeville lots, for the term of six months from the date of judgment, at the expiration of which time the said purchasers or their securities, shall on the payment of one third of the principal and interest then due by them, be entitled to a further stay of twelve months.

*Provided nevertheless,* That all persons claiming the indulgence hereby given, shall if required give additional security for the payment of their respective dues—and that nothing herein contained shall be so construed as to prevent securities from proceeding against their principals in the manner pointed out heretofore by the Legislature.

Mr. Hudspeth laid on the table a resolution on the subject of making settlement with those men who have labored on the Penitentiary, &c.

Adjourned 'till 10 o'clock to-morrow morning.

### WEDNESDAY, 6th December, 1815.

On motion of Mr. Wimberly,

The Journal of yesterday was re-considered, so far as respects the bill to divorce Matthew Wood and Mourning his wife—and

Ordered that the said bill do lie on the table.

Mr. Moore presented a petition from Stokely Morgan, which was read and referred to a special committee.

Ordered that messrs. Moore, Daniel and Hudspeth be that committee.

Mr. Charlton in his place rose and moved, that he be permitted to read a paper then in his hand, purporting to be a written protest of the minority of this Senate, against the resolutions from the house of Representatives, on the subject matter of an alledged illegal convention held by the judges at Augusta.

Whereupon, Mr. Daniel moved the following resolution;

*Resolved,* That it is the sense of this Senate, that it is not in order to enter a protest on the Journals of Senate, and that it is not authorized by the rules of this Senate, or the Constitution; therefore a motion to enter a protest is out of order.

Mr. Milton moved to amend the resolution by inserting, "except the one from the honorable member from Chatham."

Mr. Knight moved the previous question, which was carried.

Whereupon, Mr. Daniel's resolution was again read, and on the question to agree, it was determined in the affirmative, and the yeas and nays being required, are yeas 18—nays 16.

Those in the affirmative, are messrs.

Bracewell,	Cullens,	Foster,
Cleveland,	Daniel,	Hatcher,
Cook,	Doody,	Hudspeth,

Knight,  
Lane,  
Moore,

Montgomery,  
Newsom,  
Robinson,

Swain,  
Williams, and  
Wimberly.

Those in the negative, are messrs.

Blackmon,  
Bird,  
Byne,  
Charlton,  
Cuthbert,  
Freeman,

Hamilton,  
Hardin,  
Harris,  
Hudson,  
Milton,  
Nowlan,

Parke,  
Talbot,  
Walker, and  
Ware.

Mr. Nowlan had leave to be absent from Senat after to day, for the balance of the session.

Mr. Moore from the committee, reported a bill to emancipate and set free Sabre, a woman of color which was read the first time.

Mr. Foster from the committee, reported on the petition of James Harden, which was read—and

Ordered to lie on the table.

Mr. Charlton presented a memorial from Pete Kemble Esq. which was read and referred to messrs Charlton, Bird and Foster, to report thereon.

A message from the house of Representatives by Mr. Clayton their Clerk:

Mr. President,

The house of Representatives have passed a bill to be entitled an act, to alter the second section of the second article of the Constitution of this State—and he withdrew.

The Senate took up the message, and the said bill was read the first time.

The following bills were taken up and read the second time, viz:

A bill to be entitled an act, to amend an act, to appoint Commissioners for the better regulation and government of the town of Milledgeville.

Ordered to a third reading.

The bill to be entitled an act, to change the name of John Smith to John Hudson.

Ordered to a third reading.

The bill to be entitled an act, to raise money by Lottery for the purpose of aiding the funds of the Savannah Poor-house and Hospital.

Ordered to a third reading.

The following bills were severally taken up, read the third time and passed.

A bill to be entitled an act to establish and make permanent East-street in the town of Washington in the county of Wilkes—and

The bill to alter the time of holding the Inferior court for the county of Jasper.

The Senate took up the report of the committee of the whole upon the bill to be entitled an act, to divorce William Graddy and Sally his wife, which being read was agreed to.

Whereupon the bill was read the third time, and on the question, shall this bill now pass? the yeas and nays being required, are yeas 19—nays 12.

Those in the affirmative are messrs.

Bradwell,	Harding,	Robinson,
Clarke,	Harris,	Swain,
Cleveland,	Knight,	Talbot,
Coleman,	Lane,	Walker, and
Cumbe,	Milton,	Williams.
Freeman,	Moore,	
Hamilton,	Parke,	

Those in the negative, are messrs.

Blackmon,	Daniel,	Hudson,
Bird,	Dooly,	Hudspeth,
Byne,	Foster,	Montgomery, and
Cook,	Hatcher,	Ware.

There not being a Constitutional majority, the bill was lost.

The senate took up the report of the joint committee on Finance, which being read, and the blanks being filled, was agreed to, and is as follows:

The joint committee on Finance, to whom was referred the report of the Commissioners of the Penitentiary edifice, beg leave to report:

That they have had the same under their consideration, and after an attentive examination of the account of disbursements made, find the same correct as far as they could conveniently ascertain. They would recommend however to the Commissioners hereafter to specify the particular quantity of any article purchased and its cost—For example, so many feet of lumber, the kind, and its price per hundred feet; so many barrels of nails, containing so many pounds, the quality and the price per hundred weight; the number of brick purchased or laid—also, the proper vouchers, receipts, &c. for every thing purchased.

The committee suggest this, not from any want of confidence in the Commissioners, but that the Legislature may be enabled to know the terms on which materials have been purchased.

The committee will now proceed to express their sentiments relative to the balance of the report of the Commissioners.

If the Penitentiary system is founded on the principles of a humane and wise policy, it is an object of primary importance that it should be carried into operation at the earliest period possible.

Your committee are of opinion that the System is honorable to the state, and affords the strongest evidence of the improvement of our country in civilization and correct views of criminal jurisprudence—For nothing can be more unjust, more barbarous, than those laws, which placing crimes of different degrees of magnitude upon an equality of guilt—alike require blood for all.

An example or two will suffice—Under the present system, he who robs another on the highway of property of the least value, is equally punished, as if he had added murder to his crime, and thereby is often induced to commit murder for the purpose of preventing detection—The crime of manslaughter, infinitely more heinous than robbery, is only punished with burning

in the hand, while the latter as before observed, is punished capitally.

The pillory, cropping and whipping have a most unfortunate tendency—hardening the individual, and when set at liberty, he is prepared for the perpetration of every crime.

The Penitentiary system wisely proportions the punishment to the crime—it excludes the offender from society—it accustoms him to habits of industry, which he is likely to preserve; his labor is beneficial to the state and to himself. The certainty of punishment is also increased; for under the present system Juries are unwilling to convict for minor offences where death follows.

The committee hope that their remarks will not be deemed foreign to the subject, as they prove conclusively, they trust, the propriety of completing the building as it at present stands, for the speedy reception of criminals.

With respect to the completion of the original plan, the committee beg leave to state, that even if that plan were not as good as might have been devised, yet many disadvantages must necessarily result from leaving it unfinished—one wing was intended for female criminals; will not many difficulties arise if the plan be abandoned? It is urged by many, that it is too extensive—but this is bare conjecture, and the Legislature who approved the plan, did not coincide with those who entertain this opinion—If there be any difference of sentiment on this point, will it not be more prudent to have the building too large, rather than risque its being too small? What would be the consequence, if more criminals should arrive than could be received? How could the sentence of the law be carried into effect?

The committee are nevertheless sensible, that economy ought to be consulted; but if they were to hazard an opinion, they would assert that the public good is more frequently sacrificed by economising, than by a prodigal use of the public money—They are of opinion that the Penitentiary can be completed with as little expence to the state at this, as at any subsequent period—there are materials on hand, which must otherwise be sold, and there is a sufficient number of workmen ready to undertake.

They therefore beg leave to submit the following resolution;

*Resolved*, That the wing and centre of that part of the Penitentiary already erected, be prepared as speedily as possible for the reception of criminals, that the contemplated wall be so constructed as to strike the same point, as if the building were complete, and thence take such a direction as not to interfere with carrying on the original plan, which is recommended to be pursued as soon as convenient, and that the sum of

dollars be appropriated for the purposes aforesaid.—Read and agreed to.

Mr. Freeman presented a petition from Joseph Sto



call, administrator of Hubert Reynolds, which was read and referred to a special committee ;

Ordered that Messrs. Freeman, Hamilton and Robinson be that committee.

Adjourned 'till 10 o'clock to-morrow morning.

## THURSDAY, 7th December, 1815.

On motion of Mr. Cuthbert,

To reconsider the Journal of yesterday so far as respects the resolution introduced by Mr. Daniel relative to the point of order, it was determined in the negative, and the yeas and nays being required, are yeas 16—nays 18.

Those in the affirmative are Messrs.

Blackmon,	Hamilton,	Parke,
Bird,	Hardin,	Talbot,
Byne,	Harris,	Walker, and
Charlton,	Hudson,	Ware.
Cuthbert,	Milton,	
Freeman,	Nowlan,	

Those in the negative are Messrs.

Bracewell,	Foster,	Montgomery,
Cleveland,	Hatcher,	Newsom,
Cook,	Hudspeth,	Robinson,
Cullens,	Knight,	Swain,
Daniel,	Lane,	Williams, and
Dooly,	Moore,	Wimberly.

A message from the House of Representatives, by Mr. Clayton their Clerk.

*Mr. President,*

The House of Representatives have passed the following bills :

A bill authorizing the Justices of the Inferior court of Elbert county to levy an extra tax for the purpose of building a court-house in said county.

A bill to be entitled an act, for the better regulation of the town of Watkinsville in the county of Clark.

A bill to incorporate the Savannah Library society.

A bill to be entitled an act, to divorce and separate David Terry and Susan his wife—and

A bill entitled an act, to prevent the importation entrance, and admission into this state of free persons of color—and he withdrew.

The Senate took up the message and the bills were severally read the 1st time.

On motion of Mr. Cook,

*Resolved,* That Jacob Robinson be and he is hereby appointed a commissioner of the academy of Laurens county, in addition to those already appointed.

On motion of Mr. Milton,

*Resolved,* That the protest of many of the members of the Senate, against the resolution of the House of Representatives, concurred in by Senate, denying the right of the Judiciary to decide upon the constitutionality of laws passed by the Legislature, be read and entered upon the Journal of this Senate.

Mr. Nowlan rose in his place and read from the Journal of 1808, the entry of a Protest, as a precedent in like cases.

Mr. Hudspeth moved that the resolution do lie on the table, for the balance of the session ; and the yeas and nays being required, are yeas 18—nays 16.

Those in the affirmative are Messrs.

Bracewell,	Foster,	Montgomery,
Cleveland,	Hatcher,	Newsom,
Cook,	Hudspeth,	Robinson,
Cullens,	Knight,	Swain,
Daniel,	Lane,	Williams, and
Dooly,	Moore,	Wimberly.

Those in the negative are Messrs.

Blackmon,	Hamilton,	Parke,
Bird,	Hardin,	Talbot,
Byne,	Harris,	Walker, and
Charlton,	Hudson,	Ware.
Cuthbert,	Milton,	
Freeman,	Nowlan,	

Ordered that the bill to be entitled an act, to divorce and separate David Terry and Susan his wife, be in order for a second reading on the first Monday in June next.

On motion of Mr. Hatcher,

*Resolved,* That Ransom Worrell be, and he is hereby appointed a Notary Public for the town of Irwinton, Wilkinson county.

The bill to be entitled an act to emancipate and set free Sabra a woman of color, was read the second time.

Ordered for committee of the whole in June next.

The bill to be entitled an act, to alter the second section of the 2d article of the Constitution of this state, was read the second time.

Ordered for committee of the whole.

The bill to be entitled an act, to change the name of John Smith to that of John Hudson, was taken up read the third time and passed.

The bill to be entitled an act, to amend an act, to appoint commissioners for the better regulation and government of the town of Milledgeville, passed the 10th day of December, 1812, was read the third time and passed.

The bill to be entitled an act to raise money by Lottery for the purpose of aiding the funds of the Savannah Poor-House and Hospital, was read the third time and passed.

Mr. Lane laid on the table a resolution relative to purchasers of fractional surveys, &c.

On motion of Mr. Nowlan,

*Resolved,* That Mr. Charlton be added to the joint committee of enrolment.

The Senate took up the report of the committee to whom was referred the petition of George Bailie, and the same being read, was ordered to lie on the table for the balance of the Session.

On motion,

Mr. Hardin had leave of absence 'till Monday next, and Mr. Hamilton after Saturday next, for the balance of the session.

Adjourned 'till 10 o'clock to-morrow morning.

### FRIDAY, 8th December, 1815.

Mr. Cook had leave to report instantler, a bill to be entitled an act, for the relief of John Heard's children, which was read the first time.

On motion of Mr. Montgomery,

*Resolved*, That the Commissioners of the Academies of the counties of Elbert, Jackson, Morgan, Clarke, Putnam, Laurens, Montgomery, Bulloch, Jasper and Scriven, or at least, one of the Commissioners of the Academies, or a majority of said counties, be, and they are hereby authorized, either by themselves, their agent or attorney, to sell and dispose of three tracts of land in the county of Camden, sold by the Commissioners of confiscated property, one as the property of Sir James Wright, one as the property of Alexander Wright, and one as the property of James Wright, jun. and bought by the Commissioners of the Academies of the said counties—and that they may dispose of the same, either at public or private sale, and on such instalments as they may deem most conducive to the interest of their several Institutions; and that the Commissioners of confiscated property, do make titles to the purchasers thereof, whenever they shall be thereunto required by the said Commissioners, their agents or attorneys.

The following bills were severally read the second time—and

Ordered to a third reading.

A bill to incorporate the Savannah Library Society.

A bill authorizing the Justices of the Inferior court of Elbert county, to levy an extra tax—and

A bill for the better regulation of the town of Watkinsville in the county of Clark.

The bill to be entitled an act, to prevent the importation, entrance and admission into this state of free persons of color, was read the second time—and

Ordered for committee of the whole.

The Senate resolved itself into a committee of the whole, on the bill to alter the second section of the second article of the Constitution—Mr. Talbot in the chair—Mr. President resumed the chair, and Mr. Talbot reported progress and had leave to sit again.

A message from the house of Representatives by Mr. Clayton their Clerk;

Mr. President,

The house of Representatives have passed the following bills, viz:

A bill to be entitled an act to define the duty of Justices of the Inferior courts, in regard to the books of record of their respective counties, &c.

A bill to be entitled an act to revise, amend and con-

solidate the several Cavalry laws of this state, &c.

A bill to be entitled an act, to regulate the manner of weighing with scales or steelyards, throughout the state of Georgia—and

A bill to be entitled an act, to levy a tax for the political year 1816—and he withdrew.

The Senate took up the message, and the said bills were severally read the first time.

Mr. Freeman from the committee to whom was referred the petition of the administrators of Hubert Reynolds, reported, which was read and ordered to lie on the table.

Mr. Lane called up the resolution on the subject of fractional purchasers, which being read, was amended and is as follows:

*Resolved*, That the purchasers of fractional surveys and squares of land from this state, who have already, or may on or before the first day of March next, give sufficient additional security, and who may on or before that day, have paid one third part of the principal of the debt due to the state, with the interest and cost due thereon, on the first of March 1815, shall have a further indulgence for the payment of the balance, until the first day of March 1817; and that His Excellency the Governor be authorized to give the necessary instructions to the proper officers, for the accomplishment of the objects herein contemplated—on the passage of the resolution, the yeas and nays are, yeas 17—nays 14.

Those in the affirmative, are messrs.

Bracewell,	Freeman,	Moore,
Cleveland,	Hamilton,	Newsom,
Cook,	Harris,	Robinson,
Cuthbert,	Hatcher,	Swain, and
Dooley,	Lane,	Williams.
Foster,	Milton,	

Those in the negative, are messrs.

Blackmon,	Hudson,	Talbot,
Bird,	Hudspeth,	Walker,
Byne,	Knight,	Ware, and
Cullens,	Montgomery,	Wimberly.
Daniel,	Parke,	

Mr. Charlton from the committee of enrolled bills, reported as duly enrolled and signed by the Speaker, the following several acts, viz:

An act, for the repeal of an act, entitled an act, for amending an act, entitled an act, for regulating the wharves and shipping in the several ports in this province, and ascertaining the rates of wharfage and shipping, and storage, and also the duty of the Harbor-master to put in force an act, entitled an act, to amend an act, to prevent persons from throwing ballast or rubbish or falling trees into the rivers and navigable creeks within this province, and for keeping clear the channels of the same.

An act, for the relief of John Moore of Jasper county.

An act, supplementary to an act, entitled an act, to regulate the pilotage of vessels, to and from the several ports in this state.

An act to compel owners of old or infirm slaves to maintain them.

An act for the relief of Elisha Wright.

An act to authorize the Inferior courts of Lincoln and Wilkes counties, to levy an extra tax; which were presented to and severally signed by the President of Senate.

Ordered that the committee do carry said acts to his Excellency the Governor, for his revision.

Adjourned till 10 o'clock to-morrow morning.

### SATURDAY, 9th December, 1815.

The bill for the better regulation and government of the town of Watkinsville in the county of Clark;

The bill to authorise the Inferior court of Elbert county to levy an extra tax—and

The bill to incorporate the Savannah Library Society, were severally read the third time and passed.

The bill for the relief of John Heard's children;

The bill to regulate the manner of weighing with scales or steelyards;

The bill to levy a tax for the political year 1816;

The bill to define the duties of Justices of the Inferior courts in certain cases, &c.—and

The bill to revise, amend and consolidate the several Cavalry laws of this state, were severally read the second time—and

Ordered for committee of the whole.

The Senate resolved itself into a committee of the whole, on the bill, to revise, amend and consolidate the several Cavalry laws of this state—Mr. Dooly in the chair—Mr. President resumed the chair, and Mr. Dooly reported that they had gone thro' the same with an amendment.

Ordered that the report do lie on the table.

A message from his Excellency the Governor by Mr. Carey his Secretary;

Mr. President,

I am directed by his Excellency the Governor to inform the Senate that he did on yesterday, approve of and sign four resolutions which originated in Senate, the substance of which are as follows, to wit:

One authorising and requiring the Governor to employ fit and proper persons to compile a code of criminal laws adapted to the Penitentiary system, and lay the same before the next Legislature.

One appointing John Fleming, Esq. a Notary Public for the town of Marion in the county of Twiggs.

One appointing James Hutchinson, Esq. a commissioner of the public buildings in the county of Twiggs, vice Miles Gathright, deceased.

One appointing John Hughes and Wm. H. Greene, Lumber measurers for the city of Savannah.

I am also directed by him to lay before Senate Communication—and he withdrew.

Ordered that the said communication be referred to the committee on the State of the Republic.

The Senate resolved itself into a committee of the whole, on the bill to alter the second section of the 2d article of the constitution—Mr. Foster in the chair—Mr. President resumed the chair, and Mr. Foster reported that they had gone thro' the same with amendments.

The Senate took up the report, which was agreed to with an amendment.

Whereupon the said bill was read the third time, and on the question shall this bill now pass? it was determined in the affirmative, and the yeas and nays being required, are yeas 27—nays 3.

Those who voted in the affirmative are Messrs.

Bird,	Harris,	Newsom,
Bracewell,	Hatcher,	Parke,
Charlton,	Hudson,	Robinson,
Cleveland,	Hudspeth,	Swain,
Cuthbert,	Knight,	Talbot,
Daniel,	Lane,	Walker,
Dooly,	Milton,	Ware,
Foster,	Moore,	Williams, and
Freeman,	Montgomery,	Wimberly.

Those in the negative, are messrs.

Blackmon, Byne, and Cook.

The Senate resolved itself into a committee of the whole, on the bill to prevent the importation, entrance and admission of free persons of color in this state—Mr. Parke in the chair—Mr. President resumed the chair, and Mr. Parke reported progress and had leave to sit again in June next.

The Senate resolved itself into a committee of the whole, on the bill for the better regulation and Government of the town of Gretnaborough, and for other purposes—Mr. Byne in the chair—Mr. President resumed the chair, and Mr. Byne reported that they had gone thro' the same with an amendment.

The Senate took up and agreed to the report—and the bill was read the third time and passed.

The Senate took up the report of the committee of the whole, on the bill to revise, amend and consolidate the several Cavalry laws of this state, &c. and the same being read was amended and agreed to, and the report ordered to lie on the table.

Mr. Lane presented a petition from James Savage and Thomas Bradford, which was read and referred to the committee of Finance.

On motion of Mr. Hudspeth,

Resolved, that the Commissioners of the Penitentiary Edifice settle with, and pay off the workmen at present employed, and that in future they contract with workmen at a stated price, and that William D. Jarratt and Zachariah Lamar be added to the present board of Commissioners.



The Senate took up and disagreed to the report of the committee on the petition of Joseph Cook.

Mr. Newsom had leave to report instanter, a bill to enlarge the powers of the Commissioners of the town of Warrenton, in the county of Warren ; which was read the first time.

A message from the house of Representatives, by Mr. Clayton, their Clerk.

*Mr. President,*

The house of Representatives have agreed to the amendment made by the Senate to the bill to amend the act authorizing the taking out grants, &c.

They have passed a resolution appointing a Notary Public for the county of Chatham—and

A resolution appointing a Notary Public for the town of St. Mary's.

They have passed a bill to incorporate the commissioners of the Morgan county academy—and

A bill to amend the Judiciary Law of this state—and he withdrew.

The Senate took up the message and the resolutions were concurred in, and the said bills read the first time.

Adjourned 'till 10 o'clock Monday morning.

#### MONDAY, 11th December, 1815.

On motion of Mr. Charlton,

The minutes of yesterday were reconsidered so far as respects the bill to be entitled an act, to prevent the importation, entrance and admission into this state of free persons of color—and

Ordered that said bill do lie on the table.

The bill to be entitled an act, to enlarge the powers of the Commissioners of the town of Warrenton in the county of Warren, was taken up and read the second time.

Ordered for a third reading.

The bill to be entitled an act, to incorporate the Commissioners of Morgan county Academy, was read the second time—and

Ordered to a third reading.

The bill to be entitled an act, to amend an act, entitled an act, to amend the 26th section of the Judiciary law of this state, passed the 12th of December 1809, was read the second time—and

Ordered for committee of the whole.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to define the duty of Justices of the Inferior courts in regard to the books of record of their respective counties, and to define the duties of the Clerks of the Superior & Inferior courts with respect to county funds—Mr. Milton in the chair—Mr. President resumed the chair, & Mr. Milton reported that they had gone through the bill without amendment.

Ordered that the report do lie on the table.

The Senate resolved itself into a committee of the

whole on the bill to be entitled an act, to levy a tax for the support of Government, for the political year 1816—Mr. Cook in the chair—Mr. President resumed the chair, and Mr. Cook reported that they had gone through the bill with amendments.

Ordered, that the report do lie on the table.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to regulate the weighing with scales or steelyards throughout the state of Georgia—Mr. Daniel in the chair—Mr. President resumed the chair, and Mr. Daniel reported that they had gone through the bill with amendments.

The Senate took up the report, and the amendments were agreed to.

Whereupon the bill was read the third time and passed as amended.

The Senate resolved itself into a committee of of the whole, on the bill for the relief of John Herd's children—Mr. Lane in the chair—Mr. President resumed the chair, and Mr. Lane reported that the further consideration of this bill be postponed until June next.

The Senate took up the report which was read and agreed to.

A message from the house of Representatives by Mr. Clayton their Clerk.

*Mr. President,*

The house of Representatives have concurred in the report of the committee of Finance, on the report of the Commissioners of the Penitentiary edifice ; also the report of the committee on Finance, on the petition of Mrs. Nancy Horton.

They have concurred in the resolution on the petition of Col. Daniel Newnan ; and have concurred in the resolution on the petition of James Patterson.

They have passed a resolution in favor of Joel Dickson and William Booth.

A resolution, authorizing a lease of ten acres of ground in the town of Milledgeville, to the widow Fanney Jones—and

A resolution appointing Commissioners of the Academy of Washington—and he withdrew.

The Senate took up the message and the several resolutions therein contained were read and concurred in.

On motion of Mr. Wimberly.

*Resolved*, That Willis Anderson be, and he is hereby appointed a Commissioner of the Public buildings in the county of Twiggs, in place of William Davis resigned.

Mr. Charlton reported on the petition of Peter Kimble, which was read and ordered to lie on the table.

The Senate adjourned till three o'clock this afternoon.

Met agreeably to adjournment.

On motion of Mr. Hatcher,

*Resolved*, That David Rowland be, and he is hereby

by appointed a Commissioner for the Academy in the county of Wilkinson, in addition to those already appointed.

A message from the house of Representatives by Mr. Clayton their Clerk.

*Mr. President,*

The house of Representatives have passed a bill to be entitled an act, to appropriate money for the political year 1816—and he withdrew.

The Senate took up the message, and the said bill was read the first time.

Mr. Parke from the committee on the state of the Republic, reported, to wit :

The committee to whom was referred that part of the Governor's Communication, relative to the arms and ammunition belonging to this state, having had the same under consideration, and being apprised that a considerable quantity of both have been issued to commanders of regiments in different sections of the state, and not yet returned, recommend the following resolution :

*Resolved*, That his Excellency the Governor, be requested to call on the said commanders for a statement of the number and quantity of arms and ammunition remaining in their several commands, and to make such disposition of the same as he may think most proper; which being read was agreed to.

The Senate adjourned 'till to-morrow morning, 10 o'clock.

## TUESDAY, 12th December, 1815.

Mr. Charlton presented the following resolution, which was read and unanimously agreed to, viz :

The late war with Great Britain being closed by an honorable peace, imposes upon the Legislature of this state, the duty of approbating the conduct of those defenders of their country who deserve it, and who have not heretofore received the tribute of applause due to their services; and in the rendering of this public expression of Legislative thanks and gratitude, the General Assembly of this state are first attracted by the gallant and determined manner the late Major General M'Intosh, and the present Brigadier General Blackshear, their officers and men, obeyed the call of the state, and promptly marched in the most inclement season to meet the enemy, then threatening a neighbouring territory of the United States, and with zeal and patriotism highly honorable to this army, endeavoured to meet the foe, in despite of danger, or his discipline and superiority of numbers;

Wherefore, be it resolved unanimously by the Senate and house of Representatives, of the General Assembly of the State of Georgia, that this Legislature, or and in behalf of the free people of this state, render their thanks to the said Major General M'Intosh and Brigadier General Blackshear, and the brave of-

ficers and soldiers, lately under their command.

And whereas, during the late invasion of this state, an army was placed under the command of Brigadier General John Floyd, who as a commander of militia of this state, had under his orders various officers, soldiers and volunteers, exerting themselves in defence of their insulted and invaded country, whose general conduct and bravery met the approbation of the said General Floyd.

Be it therefore unanimously resolved, by the authority aforesaid, that the thanks of this Legislature, acting for the free people of this state, be and the same are hereby rendered to the said General Floyd, for his gallant and patriotic services, as also to the officers, soldiers and volunteers under his command, in the service, lately performed in the Eastern Division of this state.

Be it further resolved, That copies of these resolutions, be presented by his Excellency the Governor, to Major General M'Intosh, Brigadier General Blackshear, and to General Floyd.

The bill to be entitled an act, to enlarge the powers of the Commissioners of the town of Warrenton, in the county of Warren—and

The bill to incorporate the Commissioners of the Morgan county Academy, by the name and style of the Trustees of Madison Academy, were severally taken up and read the third time and passed.

The Senate took up the report of the committee of the whole, on the bill to be entitled an act, to revise, amend and consolidate the several Cavalry laws of this state, and to establish a suitable uniform and equipment for the same, which being read, was amended by a substitute, read the third time and passed under the title of,

"A bill to be entitled an act, to repeal an act, entitled an act, to alter and amend the several militia laws of this state, and to organize the Cavalry, and all other laws having reference to the said organization of the Cavalry."

The Senate took up the report of the committee of the whole, on the bill to be entitled an act to raise a tax for the political year 1816, and the same being read, was amended and agreed to.

Whereupon, the said bill was read the third time and passed.

The bill to be entitled an act, to raise money for the political year 1816, was taken up and read the second time;

Whereupon, the Senate resolved itself into a committee of the whole, on said bill—Mr. Talbot in the chair—Mr. President resumed the chair, and Mr. Talbot reported that they had gone through the bill with amendments.

Ordered that the report do lie on the table.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to amend an act, entitled an act, to amend the 26th section of the Judiciary law of this state, passed the 12th of Decem-

ber, 1809—Mr. Cleveland in the chair—Mr. President resumed the chair, and Mr. Cleveland reported that they had gone through the bill without amendment.

Ordered that the report do lie on the table.

A message from the House of Representatives, by Mr. Clayton their Clerk.

*Mr. President,*

The House of Representatives have passed the following acts from Senate, viz :

An act to revise and amend the road laws of this state so far as respects the county of Laurens.

An act to authorise the Justices of the Inferior court of Pulaski county to levy an extra tax.

An act to establish an academy in the town of Monticello, by the name of the Monticello academy in Jasper county.

An act to incorporate the town of Jacksonville in the county of Telfair.

An act to amend an act, entitled an act, to incorporate the town of Hartford in the county of Pulaski, and to vest certain powers in the commissioners thereof.

An act to alter the 4th section of an act, to alter the time of holding the Superior courts in the several counties of this state.

An act to repeal an act, entitled an act, to amend an act, regulating roads in this state, so far as respects the operation of said acts in the counties of Bryan, Liberty, M'Intosh, Camden and Wayne, passed on the 8th December 1806, so far as respects the county of Bryan—and

An act to repeal an act, entitled an act, to authorise William Scott, sen. of Camden county, to establish a toll on the road leading from Bull-Town Swamp to Fort Barrington on the Alatomaha, thro' M'Intosh county, and for other purposes.

They have passed a bill to be entitled an act, to appropriate money for the improvement of the navigation of Savannah and Oconee rivers—and

A bill to be entitled an act, to authorise William Smith to build a bridge across the creek called Beaverdam in Scriven county, &c.—and

They have passed a resolution authorizing the Governor to settle with the printers for printing the Rules Nisi—and he withdrew.

The Senate took up the message and concurred in the resolution, and said bills were read the first time.

Mr. Daniel presented a communication from the Adjutant General, and the same being read, was referred to the board of officers appointed to draft a militia system for the state, and is as follows :—

*To the Honorable the President of Senate,  
and Speaker of the House of Representatives.*

The undersigned takes the liberty of submitting to the Legislature of the state of Georgia, the following general outlines of a system for promoting the respec-

tability and discipline of the militia. Let all the young men between the ages of 17 and 21 be organized into companies, battalions, regiments and brigades, and assembled for military instruction and exercise, in the centre of each Division for four weeks at a time in every year. Let them be supplied by the state with arms, accoutrements, tents and rations, and be bound to furnish themselves with a simple uniform, cooking utensils, knapsacks and canteens, and be subject when encamped, to the same rules and regulations as are provided for the army of the United States. As soon as a young man arrives at the age of twenty-one, he is to be exempt from this service and made subject to the ordinary duties of the residue of the militia, who can assume such classification and disposition as a state of peace or war may demand. By the adoption of this plan, the state of Georgia will have in a short time one seventh of its militia, little inferior to regular troops, and ready at all times to take the field at a moment's warning; and in the lapse of fifteen or twenty years (in a country where every man is a horse-man, a pioneer and a marksman) the whole population will become soldiers. Should the General Government sanction the system to the extent here described, it would bring into the field 140,000 men, and the annual expenditure for their pay and subsistence would not exceed 3,500,000 dollars. This system will find out every military man in the nation, and when we are again assailed by our enemies, we will have officers capacitated to lead our troops to victory and triumph. It will foster and cherish American feelings, assist in forming a national character, and with the aid of our gallant Navy, render us a formidable people, secure and happy at home, and feared and respected abroad.

(Signed)

DANIEL NEWNAN,

*Adjutant General*

*Georgia Militia.*

*Milledgeville, 12th December, 1815.*

The Senate took up the report of the committee on the petition of Peter Kemble, surviving Executor of Isaac Gouverneur deceased, in the following words, to wit :

The committee to whom was referred the petition of Peter Kemble, surviving Executor of the last Will and Testament of Isaac Gouverneur, late of the state of New-Jersey, deceased ;

Report, that they have examined the journals of 1786, and find that the claim of Isaac Gouverneur is a just and meritorious one, and that every principle of equity and of public faith requires a fair and honorable discharge of said claim ;

Your committee therefore recommend an appropriation of the sum of five thousand one hundred and forty-seven dollars twelve and a half cents, for the benefit of the petitioner, to be paid upon the delivery of the original draft at the Treasury, being the principal debt, and submit the propriety of allowing

interest; and the same being read was disagreed to.

Mr. Foster laid on the table a resolution, to prevent persons from removing buildings off the lots in the town of Milledgeville, before the said lots are paid for, and to authorize his Excellency the Governor to use measures to prevent the same.

A message from his Excellency the Governor, by Mr. Porter his Secretary;

*Mr. President,*

I am directed by His Excellency the Governor to return to Senate an act which he has this day assented to and signed—entitled,

An act to repeal the fourth, fifth, sixth and seventh sections of an act, entitled, an act to authorize the several courts of Equity in this state to grant remedies in certain cases, and to regulate the courts of Law and Equity in this state, and for affording temporary relief to the soldiers whilst in the service of this state, or of the United States, and for other purposes—and he withdrew.

Ordered, that the committee of enrolment do carry said act to the Secretary of State and see the great seal affixed to the same.

Adjourned 'till to-morrow morning 10 o'clock.

WEDNESDAY, 18th December, 1815.

Mr. Charlton moved that the minutes of yesterday be re-considered on the petition of Peter Kemble, Executor of Isaac Gouverneur, and on the question it was determined in the affirmative.

Ordered that the petition do lie on the table.

Mr. Charlton from the committee on the State of the Republic, to whom was referred the communication of his Excellency the Governor, on the subject of the debt due by the United States to this state,

*Reported,* That they believe the sum of \$ 936,558 77 cts. stated in the account annexed to his Excellency's communication to be a correct balance of the amount due this state on the sum of \$ 1,250,000 assumed by the United States, and agreed to be paid by them, to this state on the sale of lands in the Mississippi territory; out of the first proceeds of the sale of the lands ceded by this state, the above sum was agreed to be paid.

Your committee are informed, that upon the sale of the lands the United States give a credit, and for the indulgence receive interest; if this should be the fact, your committee are of opinion, that the interest which the United States have received or expect to receive on the first sales of said lands, (the proceeds whereof they have stipulated to pay over to this state) is fairly due and should be paid over together with the principal sum to this state; your committee would therefore recommend the adoption of the following resolution;

Resolved by the Senate and House of Representatives of the General Assembly of the state of Georgia,

that his Excellency the Governor of this state be, and he is hereby directed to ascertain whether the United States have received interest, or are entitled to receive it, from purchasers on the first sales of the lands in the Mississippi Territory, ceded by this state to the United States, and if such interest has been paid, or forms a part of the contract between the United States and the purchasers, that then his Excellency be, and he is hereby directed in his correspondence on this subject, with the proper department of the General Government, to demand the payment of such interest to this state, upon its receipt by the United States, so far as the same may be due upon the first sales of the lands aforesaid, amounting to the sum of one million two hundred and fifty thousand dollars; and the same being taken up, was agreed to.

Mr. Hardin from the committee on the State of the Republic, reported on the purchase of public arms, which was amended—and

Ordered to lie on the table.

Mr. Foster called up the report of the committee on Finance, on the petition of the Executor of Joseph Bryan, deceased, in the words following, to wit:

The joint committee on Finance to whom was referred the petition of John Scriven, Executor of Joseph Bryan deceased, and Charles Harris Esq. beg leave to report, that they are of opinion that the prayer of the petitioners ought not to be granted; and that the Solicitor General be directed to proceed to the foreclosure of the mortgage and sale of the land; which being read was agreed to.

Mr. Freeman called up the report of the committee on the petition of Augustin Harris, which is in the following words, viz:

The committee to whom was referred the petition of Augustin Harris, report, that they are of opinion that the prayer of the petitioner is reasonable and ought to be granted; they therefore recommend the following resolution;

*Resolved,* That his Excellency the Governor be, and he is hereby authorized to cause the bond given by Augustin Harris, Esq. to the State Commissioners for the town of Milledgeville, for the purchase of lot No. 4, in square No. 36 in said town, to be canceled, upon the said Harris executing in due form, a relinquishment of the title which he received from the state therefor; and the same being read, on motion of Mr. Foster, the further consideration thereof was postponed until June next.

On motion of Mr. Daniel,

*Resolved,* That messrs. Hudspeth and Freeman be a committee on the part of Senate, to examine the Journals of Senate for the remainder of the Session, and see that the same be accurately engrossed; as also to see the great seal of the state affixed to the laws passed the present Session, which may remain in the Executive Department, and that they be allowed three days to perform the same.

Mr. Charlton from the committee on Enrollment, reported as duly enrolled, the following acts, which were severally presented to and signed by the President, viz :

An act, to repeal an act, entitled an act, to authorize William Scott, sen. of Camden county, to establish a toll on the road leading from Bulltown swamp to Fort Barrington on the Altamaha, thro' McIntosh county, and for other purposes.

An act, to repeal an act, entitled an act, to amend an act, regulating roads in this state, so far as respects the operation of said acts, in the counties of Bryan, Liberty, McIntosh, Camden and Wayne—passed on the 8th December, 1806, so far as respects the county of Bryan.

An act, to incorporate the town of Jacksonville in the county of Telfair.

An act, to amend an act, entitled an act, to incorporate the town of Hartford in the county of Pulaski, and to vest certain powers in the Commissioners thereof.

An act, to establish an Academy in the town of Monticello, by the name of the Monticello Academy, in Jasper county.

An act, to authorize the Justices of the Inferior court of Pulaski county, to levy an extra tax.

An act, to revise and amend the road laws of this state, so far as respects the county of Laurens.

An act, to authorize the Justices of the Inferior court of Elbert county, to levy an extra tax, for the purpose of defraying the expence of building a Court-house in said county.

An act, to establish and make permanent East-street in the town of Washington, in the county of Wilkes.

An act, to incorporate the Savannah Library Society.

An act, for the better regulation of the town of Watkinsville, in the county of Clarke.

An act to raise money by Lottery, for the purpose of aiding the funds of the Savannah Poor-House and Hospital.

An act, to amend an act, to appoint Commissioners, for the better regulation and government of the town of Milledgeville, passed the 10th day of December, 1812—and

An act, to amend the fifth section of an act, supplementary to, and amendatory of an act, entitled an act, to authorize the fortunate drawers in the Land Lotteries in this state, to take out their grants, until the 10th day of November, 1814, and after that day, to authorize any citizen of this state, to take out grants in said Lotteries, and for other purposes therein mentioned, passed on the 10th day of November, 1814.

Ordered, that the committee of Enrolment do carry said acts to his Excellency the Governor for his revision.

A message from the house of Representatives by Mr. Clayton their Clerk :

Mr. President,

The house of Representatives have passed the bill from Senate, entitled an act, to authorize the Adjutant General of this state, to appoint an assistant, with an amendment.

They have passed the bill from Senate, to be entitled an act, to establish and incorporate an Insurance Company in the city of Savannah, with amendments—they have passed the bill, entitled an act, more effectually to improve the public roads in this state, with amendments—and have passed the bill to be entitled an act, to incorporate a Bank to be called the Bank of the State of Georgia, with sundry amendments—and they have passed a resolution, that both branches of the Legislature, will convene at one o'clock to-morrow, for the purpose of electing a Brigadier General in place of General Epps Brown resigned, and he withdrew.

The Senate took up the message, and agreed to the amendment made by the house to the bill to be entitled an act, to establish and incorporate an Insurance Company in the city of Savannah.

Also agreed to the amendments made by the house to the bill to authorise the Adjutant General to appoint an Assistant.

They do agree to the amendment of the house made to the bill more effectually to improve the public roads in this state, by adding the seventh section, and do disagree to the amendment made to the 4th section in said bill.

The Senate took up the numerous amendments made by the house of Representatives to the bill to be entitled an act, to incorporate a Bank, to be called the Bank of the State of Georgia, and on the question to agree to the first amendment, viz : "strike out 5,000 and insert 7,500 shares," it was determined in the negative, and the yeas and nays being required, are yeas 14—nays 15.

Those in the affirmative are Messrs.

Blackmon,	Daniel,	Montgomery.
Bracewell,	Hardin,	Newsom,
Byne,	Hatcher,	Swain, and
Cleveland,	Hudson,	Williams.
Cook,	Knight,	

Those in the negative are Messrs.

Bird,	Foster,	Parke,
Charlton,	Freeman,	Robinson,
Cullens,	Harris,	Talbot,
Outlibert,	Hudspeth,	Walker, and
Dooley,	Moore,	Ware.

Whereupon the other amendments made by the house to said bill were severally read, and some were agreed to, and others disagreed to.

Ordered that the Secretary do carry said bill with the disagreement of Senate to their amendments to the house of Representatives.

The resolution to proceed to the election of a Brigadier General, was agreed to with an amendment, "strike out 1 o'clock, and insert 3 o'clock."

The bill to be entitled an act, to amend an act, en-



entitled an act, to amend the 25th section of the Judiciary Law of this state, was taken up for a 3d reading.

*Resolved*, That this bill be postponed until June next.

A message from the House of Representatives by Mr. Clayton their Clerk.

*Mr. President*,

The House of Representatives do adhere to all their amendments disagreed to by Senate, to the bill to be entitled an act, to incorporate a Bank, to be called the Bank of the State of Georgia—and he withdrew.

The Senate took up the message—and

*Resolved*, That the Senate do adhere to their disagreements to the amendments made by the House to said bill—and that a committee of conference be appointed by the Senate, to join such as may be appointed by the House, to confer on the subject matter in dispute.

Ordered that Messrs. Charlton, Dooly, Parke, Cuthbert and Talbot be the committee of conference on the part of Senate.

The Senate took up the report of the committee of the whole, on the bill to be entitled an act, to raise monies for the political year 1816.

On the question to disagree to the item, allowing to John Mann the sum of seven dollars for an exemplification of the decision of the Judges of the Superior courts, which was made at Augusta, it was determined in the negative, and the yeas and nays being required, are yeas 12—nays 16.

Those in the affirmative are Messrs.

Blackmon,	Cuthbert,	Parke,
Bird,	Hardin,	Talbot,
Byne,	Harris,	Walker, and
Charlton,	Hudson,	Ware.

Those in the negative are Messrs.

Bracewell,	Foster,	Newsom,
Cleveland,	Freeman,	Robinson,
Cook,	Hatcher,	Swain, and
Cullens,	Hudspeth,	Williams.
Daniel,	Knight,	
Dooly,	Montgomery,	

*Mr. Dooly* moved that the sum of sixty dollars for contingencies to the Clerk of the House of Representatives and Secretary of Senate be stricken out, and on the question it was determined in the affirmative.

The report being further amended, was ordered to be on the table.

A message was received from his Excellency the Governor by his Secretary Mr. Porter, enclosing the resignation of Brigadier General Brown.

*Mr. Charlton* moved the following resolution, which was agreed to, viz :

*Resolved*, That Major General Allen Daniel be added to the Board of officers appointed to frame and digest a military system for the militia of this state, and that the said Board shall be convened by his Ex-

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cellency at such time, and at such place, as he may think proper to designate.

*Mr. Foster* called up the following resolution, viz :

Whereas a practice has prevailed in the town of Milledgeville of persons moving houses from the lots purchased from the state and unpaid for by the purchaser on other lots, whereby the securities to the purchasers and the state are defrauded, and speculation encouraged ;

Be it therefore resolved by the Senate and House of Representatives of the state of Georgia, in General Assembly met, that from and immediately after the passing of this resolution, his Excellency the Governor be, and he is hereby fully authorized and required, to take the most effectual and decisive measures to prevent the removal of any house or houses from off any lot or lots of land, sold or leased under the authority of this state, until said lot or lots are paid for to the state with the interest and cost thereon ; and on being read was agreed to.

On motion of *Mr. Charlton* ;

Whereas at a period the most alarming to the destinies of the Republic ; at a period when every patriotic breast was palpitating with a fearful anxiety ; at a period when the vain glorious and exulting enemy had promised "*Beauty and Booty*," to his supposed "invincibles," thereby adding the excitements of lust and rapine to his other enormities ; at this crisis, the genius and valor of Major General Andrew Jackson, aided by the zeal and patriotism of his gallant officers and soldiers, spread havoc and dismay among the ranks of the foe, and around themselves a blaze of glory, which has given to the arms of the nation an imperishable renown, and entitle the hero and his soldiers to the loudest plaudits of every section of their free and grateful country ;

Be it therefore Unanimously Resolved by the Senate and House of Representatives of the state of Georgia, in General Assembly met, that the Legislature of this state, for themselves, and in behalf of the people whom they have the honor to represent, tender to Major General Andrew Jackson and his gallant officers and soldiers, their thanks for the glorious and unparalleled efforts of him and his brave companions in arms before *New-Orleans*, thereby rescuing that devoted city from the threatened abominations of the enemy, raising to a proud station the military fame of the nation, and infusing confidence into the hearts of their then desponding countrymen.

*Resolved*, That a copy of the foregoing be transmitted by his Excellency the Governor, to Major General Andrew Jackson.

A message from the House of Representatives, by *Mr. Clayton* their Clerk ;

*Mr. President*,

The House of Representatives have agreed to a committee of conference on the bill to establish a Bank to

be called the Bank of the State of Georgia, and have appointed a committee on their part consisting of Messrs. Ware, Pope, Harden, Williams, J. Wingfield, Carr, W. Jones and Oneal.

They have concurred in the amendment made by Senate to the resolution, to proceed on to-morrow, to the election of a Brigadier General—and he withdrew.

The Senate adjourned 'till 10 o'clock to-morrow morning.

#### THURSDAY, 14th December, 1815.

Mr. Charlton from the joint committee of conference, to whom was referred the subject matter of disagreement, between the different branches of the Legislature, on the bill to incorporate a Bank to be called the Bank of the State of Georgia,

*Reported,* That the house of Representatives recede and concur with Senate, in the 1st, 2nd, 6th, 7th, 8th, 10th, 13th, 14th and 18th amendments, and that the Senate agree to the 11th, 16th and 17th amendments, proposed to the bill by the house of Representatives, which being read; on the question to agree, it was determined in the affirmative, and the yeas and nays being required, are yeas 21—nays 9.

Those in the affirmative, are messrs.

Blackmon,	Hardin,	Montgomery,
Bird,	Harris,	Parke,
Bracewell,	Hatcher,	Robinson,
Charlton,	Hudson,	Talbot,
Cuthbert,	Hudspeth,	Walker,
Dooly,	Knight,	Ware, and
Freeman,	Lane,	Williams.

Those in the negative, are messrs.

Cleveland,	Daniel,	Newsom,
Cook,	Foster,	Swain, and
Cullens,	Moore,	Wimberly.

The bill to be entitled an act, to authorize William Smith to build a bridge across the creek called Beaver-dam, in Scriven county, on the road leading from Savannah to Augusta, was taken up and read the third time and passed.

The Senate took up the report of the committee of the whole, on the bill to be entitled an act, to define the duties of the Justices of the Inferior courts, in regard to the books of record of their respective counties, and to define the duties of the Clerks of the Superior and Inferior courts, with respect to county funds; and the same being read was agreed to;

Whereupon, on the question, shall this bill be read the third time and passed, it was determined in the affirmative, and the yeas and nays being required, are yeas 23—nays 8.

Those in the affirmative, are messrs.

Blackmon,	Byne,	Cook,
Bird,	Charlton,	Cuthbert,
Bracewell,	Cleveland,	Daniel,

Foster,  
Hardin,  
Harris,  
Hudson,  
Knight,

Lane,  
Newsom,  
Parke,  
Robinson,  
Swain,

Walker,  
Ware,  
Williams, and  
Wimberly.

Those in the negative, are messrs.

Cullens,	Hatcher,	Montgomery, and
Dooly,	Hudspeth,	Talbot.
Freeman,	Moore,	

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to appropriate money for the improvement of Oconee and Savannah rivers—mr. Byne in the chair—mr. President resumed the chair, and mr. Byne reported that they had gone through the bill without any amendment.

The Senate took up the report—Mr. Montgomery moved that the following proviso be inserted at the end of the first clause, viz : and provided that no part of said sum shall be drawn, before the sum of five thousand dollars shall be subscribed by individuals for the improvement of said river, and said subscription placed in the hands of said Commissioners.

Whereupon, mr. Cleveland moved the previous question, which was carried in the affirmative, and the yeas and nays being required, are yeas 16—nays 14.

Those in the affirmative are messrs.

Bird,	Hardin,	Swain,
Charlton,	Hatcher,	Talbot,
Cullens,	Hudson,	Walker, and
Dooly,	Lane,	Ware.
Foster,	Moore,	
Freeman,	Robinson,	

Those in the negative, are messrs.

Blackmon,	Daniel,	Newsom,
Bracewell,	Harris,	Parke,
Byne,	Hudspeth,	Williams, and
Cook,	Knight,	Wimberly.
Cuthbert,	Montgomery,	

Whereupon the main question was put by the President, shall the first clause of said bill be agreed to, which was determined in the affirmative.

Mr. Daniel moved that the 9th section of said bill be stricken out; it was determined in the negative, and the yeas and nays being required, are yeas 11—nays 20.

Those in the affirmative, are messrs.

Blackmon,	Harris,	Parke,
Byne,	Hudspeth,	Williams, and
Cook,	Montgomery,	Wimberly.
Daniel,	Newsom,	

Those in the negative, are messrs.

Bird,	Foster,	Moore,
Bracewell,	Freeman,	Robinson,
Charlton,	Hardin,	Swain,
Cleveland,	Hatcher,	Talbot,
Cullens,	Hudson,	Walker, and
Cuthbert,	Knight,	Ware.
Dooly,	Lane,	



*Mr. Bracewell* moved that the following clauses be inserted in said bill as an amendment, to wit :

And be it further enacted by the authority aforesaid, that five thousand dollars be appropriated for the purpose of opening the Ocmulgee river, and that Shadrick Atkinson, Edmond Blackshear, William Ashly, Timothy Matthews and James Johnston, be and are hereby appointed Commissioners for that purpose, a majority of whom shall have full power and authority to pursue such measures under the direction of the Governor of this state, as they may deem most proper to accomplish the object of the said appropriation.

Be it further enacted by the authority aforesaid, that it shall be the duty of said Commissioners, to make a fair, just, and regular return every six months, to his Excellency the Governor, of all disbursements made by them, and the progress made in the clearing the obstructions in said river ; and the said Commissioners are authorized to open subscriptions at such places as they may think proper, for individual donation ; which being read, on the question to agree, it was determined in the negative, and the yeas and nays being required, are yeas 10—nays 21.

Those in the affirmative, are messrs.

Bracewell,	Montgomery,	Williams, and
Cook,	Newson,	Wimberly.
Harris,	Parke,	
Knight,	Swain,	

Those in the negative, are messrs.

Blackmon,	Daniel,	Hudspeth,
Bird,	Dooly,	Lane,
Byne,	Foster,	Moore,
Charlton,	Freeman,	Robinson,
Cleveland,	Hardin,	Talbot,
Cullens,	Hatcher,	Walker, and
Cuthbert,	Hudson,	Ware.

Whereupon the report was read through and agreed to.

The said bill was read the third time, and on the question shall this bill now pass ? It was determined in the affirmative, and the yeas and nays being required, are yeas 18—nays 13.

Those in the affirmative, are messrs.

Bird,	Freeman,	Moore,
Charlton,	Hardin,	Robinson,
Cleveland,	Hatcher,	Talbot,
Cullens,	Hudspeth,	Walker, and
Cuthbert,	Hudson,	Ware.
Dooly,	Knight,	
Poster,	Lane,	

Those in the negative, are messrs.

Blackmon,	Harris,	Swain,
Bracewell,	Hudspeth,	Williams, and
Byne,	Montgomery,	Wimberly.
Cook,	Newson,	
Daniel,	Parke,	

A message from the house of Representatives by Mr. Clayton their Clerk ;

*Mr. President,*

The House of Representatives have concurred in the following resolutions :

A resolution appointing Jacob Robinson a Commissioner of the Academy of Laurens county ;

A resolution appointing Ransom Worrell a Notary Public for the town of Irwinton in Wilkes county ;

A resolution from Senate, appointing certain persons to draft a military code ;

A resolution appointing David Rowland a Commissioner of the Academy of Wilkinson county ;

A resolution requiring his Excellency the Governor, to have consolidated and compiled the several Patrol laws of this state.

A resolution appointing Willis Anderson, a Commissioner of public buildings in the county of Twiggs ;

A resolution approbating the gallant and patriotic conduct of the officers and soldiers in the late expeditions from this state ;

A resolution on the subject of arms and ammunition belonging to this state, &c.

They have passed an act, to divorce Nancy Brown and Solomon Brown her husband, and Samuel Berry and Nancy Berry his wife.

They have passed a resolution, appointing Robert D. M'Kinney, a Lumber measurer for the port of Savannah.

A resolution appointing Isaac Bowers a Vendue-master for the town of Milledgeville—and

A resolution authorizing the Commissioners of the town of Milledgeville, to lease to Amos Wingate, two acres of town common for five years.

They do disagree to the amendment made by Senate, to the bill to alter the second section of the second article of the Constitution of this state, and have appointed a committee of Conference on said bill—and he withdrew.

The Senate took up the message and concurred in the resolution appointing Robert D. M'Kinney a Lumber measurer for the port of Savannah—and in the resolution appointing Isaac Bowers a Vendue-master for the town of Milledgeville.

Ordered, that the resolution authorizing the Commissioners of the town of Milledgeville, to lease to Amos Wingate, two acres of town common, do lie on the table for the balance of the session—and

*Resolved,* That the Senate do concur in the appointment of a joint committee of Conference on the subject matter of dispute between the two branches, on the bill to be entitled an act, to alter the second section of the second article of the Constitution of this state—and

Ordered that Messrs. Charlton, Foster, Walker, Freeman and Cook, be the committee on the part of Senate.

The Senate took up the report of the committee of the whole, on the bill to be entitled an act, to appropriate monies for the political year, 1846.

On motion of *Mr. Hudspeth*,

That the following clause be inserted as an amendment, to wit :

And be it further enacted, that the sum of six hundred dollars be appropriated for the purpose of furnishing the Government House with furniture ; on the question to agree, it was determined in the negative, and the yeas and nays being required, are yeas 14—nays 16.

Those who voted in the affirmative are Messrs.

Bracewell,	Dooly,	Lane,
Charlton,	Freeman,	Robinson,
Cleveland,	Hardin,	Talbot, and
Cook,	Hudspeth,	Ware.
Cuthbert,	Knight,	

Those in the negative are Messrs.

Blackmon,	Hatcher,	Swain,
Bird,	Hudson,	Ware,
Cullens,	Moore,	Williams, and
Damel,	Montgomery,	Wimberly.
Foster,	Newsom,	
Harris,	Parke,	

The report was further amended and agreed to.

Whereupon the bill was read the 3d time and passed as amended.

Ordered that the Secretary do carry said bill to the house of Representatives for their concurrence to the amendments.

The Senate took up the report of the committee on the State of the Republic, on that part of his Excellency the Governor's communication, which relates to the purchase of public arms ; and the same being read, was amended, agreed to, and is as follows :

*Resolved*, That the sum of twenty-five thousand dollars out of the sum due and owing this state by the United States, for the sale of Western lands, be set apart, out of which sum his Excellency the Governor is hereby authorised to contract with the General Government for ten brass six pound field pieces, and fifteen hundred Muskets, Bayonets, Cartouch Boxes, &c.

On motion of *Mr. Daniel*,

*Resolved*, That his Excellency the Governor be, and he is hereby authorised and required, to appoint fit and proper persons not exceeding two, for the purpose of attending all sales made by virtue of any execution in favor of the state, on account of the foreclosure of mortgages against the purchasers of fractional surveys ; and in order to prevent fraud in any such sale, that the person or persons so appointed, be authorised to bid in behalf of the state, to such amount as they may deem a reasonable value for any fraction that may be then offered for sale ; Provided nevertheless, that the person or persons so appointed, shall previous to bidding at any such sale, take and subscribe an oath before some Justice of the Peace or of the Inferior court, that they will bid in such manner as in their

judgment will be most advantageous to the state ; which resolution being read was agreed to.

A message from his Excellency the Governor by Mr. Porter his Secretary ;

*Mr. President*,

I am directed by his Excellency the Governor, to return to the Senate seven bills, which he has this day assented to and signed, the titles of which are as follow, to wit :

An act to incorporate the town of Jacksonville in the county of Telfair.

An act, to revise and amend the road laws of this state, so far as respects the county of Laurens.

An act, to authorize the Justices of the Inferior court of Pulaski county to levy an extra tax.

An act, to establish an Academy in the town of Monticello, by the name of the Monticello Academy, in Jasper county.

An act, to amend an act, entitled an act, to incorporate the town of Hartford, in the county of Pulaski, and to vest certain powers in the commissioners thereof.

An act, to repeal an act, entitled an act, to amend an act, regulating roads in this state, so far as respects the operation of said acts, in the counties of Bryan, Liberty, M'Intosh, Camden and Wayne, passed on the 8th December, 1806, so far as respects the county of Bryan—and

An act, to repeal an act, entitled an act, to authorize William Scott, sen. of Camden county, to establish a toll on the road leading from Bull Town Swamp to Fort Barrington on the Altamaha, through M'Intosh county, and for other purposes.

Ordered that the committee of enrolled bills do carry the said acts and see the great seal severally affixed to them.

A message from the house of Representatives by Mr. Clayton their Clerk ;

*Mr. President*,

The House of Representatives have passed the following resolution :—

*Resolved*, that the Clerk of this House inform the Senate that they are ready to receive them in the Representative chamber, for the purpose of electing a Brigadier General of the 2d Brigade of the 2d Division of the militia of this state in the place of Brigadier General Epps Brown resigned.

The Senate then repaired to the Representative floor, and being seated, proceeded by joint ballot to the election, and on counting out the votes it appeared that Col. John Irwin was duly elected.

They then returned to their chamber and adjourned 'till 9 o'clock to-morrow morning.

FRIDAY, 15th December, 1815.

Mr. Freeman moved that the Journal of Senate of yesterday be reconsidered, so far as respects the ap-

pointment of Isaac Bowers a Vendue-master for the town of Milledgeville; on the question it was determined in the affirmative.

Ordered that said resolution do lie on the table for the balance of the session.

Mr. Newsom from the committee to examine the Journals of Senate reported, that they have examined and find the Journal correct and duly engrossed up to Wednesday the 13th instant.

Ordered that Mr. Newsom be added to the committee to attend to unfinished business after the adjournment of the session.

A message from the house of Representatives by Mr. Clayton their Clerk :

Mr. President,

The House have agreed to the amendments to the bill to be entitled an act, for the better regulation of the town of Greensboro', and for the appointment of commissioners of the academy of the county of Greene and Siloam meeting-house in said county.

They have passed a resolution requesting the Governor to transmit to the Governor of South-Carolina the bill to appropriate monies for the improvement of the Navigation of Savannah river.

They have concurred in the resolution on the petition of Jonas Fauche in behalf of himself and others, with an amendment.

They have passed the bill to establish an uniform mode of practice in the several Courts of Law and Equity in this state, with an amendment—and

They have passed the bill to be entitled an act, to authorise the Justices of the Inferior court of the county of Richmond or a majority of them, to sell the jail of said county and erect another.

The Senate took up the message and concurred in the resolution requesting the Governor to transmit to the Governor of South-Carolina the bill appropriating money for the improvement of Oconee and Savannah rivers.

They do agree to the amendments made by the House to the resolution on the petition of Jonas Fauche.

And on the question to agree to the substitute made by the House to the bill to establish an uniform practice in the several Courts of Law and Equity in this state, it was determined in the affirmative, and the yeas and nays being required, are as follows :—

Those in the affirmative are Messrs.

Bracewell,	Dooley,	Montgomery,
Cleveland,	Hatcher,	Newsom,
Cook,	Hudspeth,	Robinson,
Cullens,	Knight,	Swain, and
Daniel,	Moore,	Williams.

Those in the negative are Messrs.

Blackmon,	Hardin,	Talbot,
Bird,	Harris,	Walker,
Byne,	Hudson,	Ware, and
Charlton,	Lane,	Whimberly.
Freeman,	Parke,	

Mr. Charlton from the joint committee of conference to whom was referred the subject matter of difference on the bill to be entitled an act, to alter and amend the 2d section of the 2d article of the constitution of this state ;

Reported, That the Senate adhere to their bill substituted for that of the house of Representatives, which being read was agreed to.

A message from the house of Representatives by Mr. Clayton their Clerk ;

Mr. President,

The House of Representatives have agreed to all the amendments made to the bill to raise a tax for the political year 1816.

They have disagreed to some of the amendments made by Senate, to the bill appropriating monies for the political year 1816.

The Senate took up the message and receded from their amendments made to the bill appropriating monies for the political year 1816, which were disagreed to by the House.

On motion of Mr. Charlton,

Resolved, That both branches of the General Assembly will meet in the Representative chamber this afternoon at 4 o'clock, for the purpose of electing six Bank Directors of the Bank of the State of Georgia.

On motion of Mr. Foster,

Resolved, That Thomas Hamilton be, and he is hereby appointed, a trustee to the Columbia academy in place of John Briscoe removed.

On motion of Mr. Montgomery,

Resolved, That the Secretary of Senate inform the House of Representatives that the Senate will be ready to adjourn this evening *sine die*.

Mr. Parke called up the resolution on the memorial of Joseph Phillips, in the words following :—

The committee to whom was referred the memorial of Joseph Phillips report, that they have examined an act, entitled an act, to point out the mode of rendering void all grants or other proceedings, founded on false or fraudulent returns, made by persons not entitled to draws in the late Land Lotteries, by which it appears the informer is entitled to one half of the Land; and that the honorable court of Morgan county has condemned the land in question, viz : lot No. 377, in the fourth district of Baldwin as a fraudulent draw, which was purchased by the said Joseph Phillips from the state ;

We therefore recommend the following resolution ;

Resolved, That the Treasurer be, and he is hereby authorised, to give the aforesaid Joseph Phillips a credit for one equal half of the bond given to the state on account of the purchase of lot No. 377, in the 4th District of Baldwin county, upon his quieting and releasing the claim of the informer to the other half of said lot, and that the title of the memorialist to said lot of land be, and the same is hereby confirmed, any thing to the contrary notwithstanding.

The same being again read, was ordered to lie on the table the balance of the session.

On motion of Mr. Dooly,

**Resolved**, That Messrs. Hudspeth, Freeman and Newsom be a committee to examine the accounts of the members and officers of Senate for the present session.

Mr. Charlton from the 2d joint committee of conference, on the subject matter in dispute between the two branches, on the bill to incorporate a Bank to be called the Bank of the State of Georgia, reported ;

The committee of conference to whom was referred the bill to incorporate a Bank to be called the Bank of the State of Georgia ;

**Report**, That they have had the same under their consideration—and discovering certain sections in said bill irreconcilable, and that it is expedient to adopt some amendments of the House of Representatives, recommend that the Senate and House of Representatives agree to the amendments that are proposed to the amendments from the House of Representatives, which will be found in the paper marked A.

Strike out in the 2d section 5,000 and insert 6,000. No. 2. Strike out 5 Directors and insert 6.—Sec. 3d. Insert Augustus H. Gibson and William Sansom.—No. 4. Insert Milledgeville.—6th Sec. No. 6. Insert, or the amount of its capital, if the same shall hereafter be increased.—6th Sec. Nine of whom shall be chosen by the Stock-holders, and six by the state, and the nine Directors of the Stock-holders—No. 7. Insert, the six Directors to be appointed by the state, shall be chosen by the Legislature, immediately on the passage of this act—No. 8. Strike out sections (wafered) and marked A. and B.—8th No. 9. (omit this) strike it out.—No. 10. But this qualification is not to be necessary on the part of the State Directors.—8th Sec. 4th Rule, No. 11. Strike out the words within the black lines, and insert, “to be elected President *pro tem.* by a majority of the board present.”—8th Sec. 14th Rule, No. 12. Strike out 1850, and insert 1835.—8th Sec. 15th. Rule No. 13. Strike out the amendment, and adopt the whole section of the original bill.—9th Sec. No. 14. Read Savannah 2,700, Augusta 1,800, Milledgeville 900, Louisville 450, Greensborough 900, Washington 450, Sparta 450, Lexington 450, Waynesborough 450, Athens 450, State 5,000, University 1,000.—10th Sec. No. 15. Insert, or to such sum as they may think proper.—10th Sec. No. 16. Strike out, one third part, and insert one half.—10th Sec. No. 17. Insert, or such other part as they may think proper.—11th Sec. No. 18. Insert Sec. 11. And be it further enacted, that the Trustees of the University of Georgia, shall have until the 1st of January, 1817, to subscribe for 1,000 shares, out of the 6,000 herein reserved to the state.—11th Sec. No. 19. Strike out 11th and 12th sections of the original bill.—3d. Sec. 17 per. cent.

The report being read, was unanimously agreed to.

Mr. Foster called up the resolution, on the subject of the Augusta Bank, which was read, agreed to, and is as follows ;

Be it unanimously Resolved by the Senate and house of Representatives of the State of Georgia, in General Assembly met, That the conduct of the Directors of the Bank of Augusta, in withholding specie payments, has been dictated by good policy ; that their refusal to accede to the proposal of the Secretary of the Treasury, in relation to Treasury notes, was a precautionary measure, and such as prudence and good conduct required—and whilst this Legislature entertain the most favorable opinion of the responsibility of the Bank, and the high credit of its bills, fondly hope that the period is not far distant, when the Directors will be enabled to accommodate the holders of their bills with specie for the same.

A message from the house of Representatives, by Mr. Clayton their Clerk ;

Mr. President,

The house of Representatives have concurred in the resolution on the subject of removing houses off the Milledgeville lots.

Have concurred in the resolution, on the petition of the citizens of Milledgeville ; in the resolution on the subject of the purchasers of fractional surveys, with an amendment.

They have concurred in the resolution, on the petition of John M'Queen, with an amendment—and

They have agreed to the report of the committee of Conference, on the bill to alter and amend the second section of the second article of the Constitution of this state.

They have passed a resolution authorizing the Governor to subscribe for the shares in the Bank of the State of Georgia.

The Senate took up the message and agreed to the amendments made by the house to the resolution, on the subject of purchasers of fractional surveys.

They concur in the amendments on the petition of John M'Queen, and in the resolution authorizing his Excellency the Governor to subscribe for shares in the Bank of the State of Georgia.

The Senate adjourned till three o'clock ; met agreeably to adjournment.

On motion of Mr. Hudspeth,

**Resolved**, That a committee be appointed to join such as may be appointed by the house of Representatives, to wait on his Excellency the Governor, and inform him that both branches of the Legislature are now ready to adjourn *sine die*, and if he has any further communication to make, the Legislature will be happy to receive it ;

Ordered that the resolution do lie on the table.

A message from the house of Representatives by Mr. Clayton their Clerk ;

Mr. President,

The house of Representatives have concurred in the

resolution on the subject of the Augusta Bank—and withdrew.

A message from the house of Representatives, by Mr. Clayton their Clerk ;

*Mr. President,*

The house of Representatives are now ready to receive the Senate in the Representative Chamber, to proceed to the election for State Directors in the State Bank.

The Senate then repaired to the Representative branch, and being seated, proceeded by joint ballot, to the election of six Directors of the Bank of the State of Georgia, and on counting out the votes, it appeared that William B. Bulloch, William Davies, Jeremiah Caylor, Edward Harden, Thomas U. P. Charlton and Andrew G. Semmes, were duly elected.

The Senate then returned to their Chamber—and Adjourned till 7 o'clock to-morrow morning.

**SATURDAY, 16th December, 1815.**

*Mr. Foster* called up the following resolution ;

*Resolved,* That his Excellency the Governor be, and he is hereby authorized to borrow a sum of money, on the faith and credit of this state, (which is hereby pledged for the redemption thereof) sufficient to comply with the subscription of this state, to the State Bank, if the same may be deemed necessary, previous to the meeting of the next General Assembly—and the said resolution being again read, was agreed to.

A message from the house of Representatives, by Mr. Clayton their Clerk ;

*Mr. President,*

The house of Representatives have passed a resolution requiring the public officers to receive the bills that may be issued by the State Bank in payment of taxes, &c.

They have concurred in the resolution appointing Thomas Hamilton a Trustee of the Columbia county Academy, and in the resolution authorizing the Governor to subscribe shares in the State Bank, and provide by law for the payment of the same.

They have appointed a committee to wait on his Excellency the Governor, and inform him that the General Assembly is now ready to adjourn *sine die*—and he withdrew.

The Senate took up the message, and concurred in the resolution requiring the public officers to receive bills issued by the State Bank, in payment of taxes.

They also concurred in the resolution appointing a joint committee to wait on his Excellency the Governor, and join messrs. Hudspeth and Cook on the part of Senate.

*Mr. Charlton* from the committee of Enrolment, reported as duly enrolled and signed by the Speaker, sundry acts, which were presented to and signed by the President ;

Ordered that the committee of Enrolment do carry said acts to his Excellency the Governor for his revision.

A message from the house of Representatives, by Mr. Clayton their Clerk ;

*Mr. President,*

I am directed to inform the Senate, that the house of Representatives is now ready to adjourn *sine die*—and he withdrew.

*Mr. Hudspeth* from the joint committee to wait on his Excellency the Governor, and inform him that the General Assembly were ready to adjourn *sine die*.

*Reported,* That they had waited on his Excellency and that there was no further Communication from the Executive to be made.

In the absence of the President ;

On motion of Mr. Charlton,

*Resolved Unanimously,* That the thanks of Senate be, and they are hereby given to the Honorable William Rabun, for the firm, independent and able manner in which he has discharged the duties of President of this branch of the General Assembly.

On motion of Mr. Cook ;

*Resolved,* That the Secretary inform the house of Representatives that the Senate is ready to adjourn without a day.

The President adjourned the Senate without a day.

**F I N I S.**



**JOURNAL**  
**OF THE**  
**SENATE**

**OF THE**  
**State of Georgia,**

**AT AN ANNUAL SESSION OF THE GENERAL ASSEMBLY, BEGUN AND HELD  
AT MILLEDGEVILLE, THE SEAT OF GOVERNMENT,  
IN NOVEMBER AND DECEMBER,**

**1816.**

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**MILLEDGEVILLE :**  
**S. & F. GRANTLAND—STATE-PRINTERS.**





# October 1816, inclusive—and an Abstract of Bonds,

kinson counties, late cession.	Bonds for Fractions and square lots sold in the year 1811.	Bonds for reverted confiscated proper y.	Bonds and Notes for Indian Goods.	Notes for Fractions reverted cu.	Stock of the United States.	United States Treas- ury Notes.	Paper medium.	State Troop Bounty Warrants.
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14 5 12							371	
10 1-2	5936 80							
12 11 12	1119993 3 4	21013 16 1 4	1283 64	88 25	73431 10	7900	1080	600

*Cr.*

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1991 85  
12500 00  
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9700 00  
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Reed,



# JOURNAL

OF THE

# SENATE

OF THE

# STATE OF GEORGIA.

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*Monday, 4th November, 1816.*

**A**T a session begun and held in the town of Milledgeville, at the State-House on Monday the 4th November, in the year eighteen hundred and sixteen; the following members elect, appeared, produced their credentials, and having taken the oath required by the Constitution of this state, and to support that of the United States, administered to them respectively by Myles Greene, Esq. Justice of the Inferior court for the county of Baldwin—took their seats, viz:

From the county of Jasper—The Hon. Jarrel Beasley.

From the county of Laurens—The Hon. David Blackshear.

From the county of Elbert—The Hon. Robert Burke.

From the county of Franklin—The Hon. Benjamin Cleveland.

From the county of Washington—The Hon. Frederick Cullins.

From the county of Jefferson—The Hon. Robert Fleming.

From the county of Columbia—The Hon. John Foster.

From the county of Telfair—The Hon. Benjamin M. Griffin.

From the county of Tatnall—The Hon. Martin Hardin.

From the county of Pulaski—The Hon. Thomas W. Harris.

From the county of Wilkinson—The Hon. John Hatcher.

From the county of Lincoln—The Hon. Micajah Henly.

From the county of Morgan—The Hon. Thomas Hogg.

From the county of M'Intosh—The Hon. Francis Hopkins.

From the county of Oglethorpe—The Hon. George Hudspeth.

From the county of Liberty—The Hon. John Kell.

From the county of Baldwin—The Hon. Zachariah Lamar.

From the county of Clarke—The Hon. Thomas Mitchell.

From the county of Montgomery—The Hon. Nathaniel R. Mitchell.

From the county of Jackson—The Hon. Hugh Montgomery.

From the county of Warren—The Hon. Joeday Newsom.

From the county of Jones—The Hon. Jesse M'Kinney Pope.

From the county of Bryan—The Hon. John Pray.  
From the county of Putnam—The Hon. Alexander Reed.

From the county of Madison—The Hon. Charles Sorrels.

From the county of Emanuel—The Hon. Stephen Swain.

From the county of Richmond—The Hon. Valentine Walker.

From the county of Twiggs—The Hon. Ezekiel Wimberly.

The Hon. John Foster was nominated and took the Chair, and a constitutional majority of the Senate being present, proceeded by ballot to the choice of their President, and on counting out the votes, it appeared that the Hon. William Rabun was unanimously chosen.

They also proceeded to the choice of their Secretary, and on counting out the votes, it appeared that Will. Robertson was chosen.

From the county of Bulloch, came the Hon. Samuel Lockheart, produced his credentials, and the usual oath being administered to him by the President of Senate, took his seat.

The Senate proceeded by ballot to the choice of their Messenger and Door-Keeper, and on counting out the votes it appeared, that Henry Williams was duly elected Messenger, and Alex'r. Greene, Door Keeper.

Adjourned 'till 10 o'clock tomorrow morning.

## TUESDAY, 5th November, 1816.

From the county of Effingham, came the Hon. George G. Nowland; from the county of Burke, the Hon. William Byne; and from the county of Camden, the Hon. John Hardee, who severally were sworn by the President of Senate, and took their seats.

The Senate proceeded to the choice of permanent seats, and took them respectively.

On motion of Mr. Foster.

*Resolved*, That the rules of Senate of the last year be established, for the government of the Senate the present session, until altered—whereupon the rules of last session were read and the resolution agreed to.

On motion of Mr. Foster,

*Resolved*, That the Secretary inform the House of Representatives that the Senate is now organized—have made choice of the honorable William Rabun their President, and Will. Robertson, Esqr. their Secretary, and are ready to proceed to business.

On motion of Mr. Swain,

*Resolved*, That a committee on privileges and elections be appointed, and that the returns from each county be laid before them:

Ordered, that Messrs. Swain, Hardin and Hopkins, be that committee.

A message from the House of Representatives by Mr. Turner, their Clerk.

*Mr. President*,

I am directed to inform the Senate, that the House

of Representatives are now organized, having chosen the Hon. Benjamin Whitaker their Speaker, and William Turner, Esq. their Clerk, and are ready to proceed to business, and he withdrew.

On motion of Mr. Hardin,

*Resolved*, That a committee be appointed on the part of the Senate, to join such as may be appointed by the House of Representatives, to wait on his excellency the Governor, and inform him the General Assembly are organized, and are ready to receive his communication.

Ordered, That Messrs. Hardin, Lamar, and Montgomery be the committee.

On motion of Mr. Hardin,

*Resolved*, That a committee be appointed on the part of Senate to join such committee as may be appointed by the House of Representatives, to compose the committee on the State of the Republic.

Ordered, that Messrs. Hardin, Kell, Blackshear, Montgomery, Hopkins, Lamar and Thos. Mitchell, be the committee on part of Senate.

On motion of Mr. Hudspeth,

*Resolved*, That a committee be appointed on the part of Senate, to join such committee as may be appointed on the part of the House of Representatives, to compose a committee on Finance.

Ordered, that Messrs. Hudspeth, Foster, Nowlan, Pray, Byne, Walker and Harris be that committee.

On motion of Mr. Nowland,

*Resolved*, that a committee be appointed on the part of Senate, to join such as may be appointed on the part of the House of Representatives, to compose a joint committee of Enrolment.

Ordered, that Messrs. Nowlan, Newsome and Henly, be that committee on the part of Senate.

On motion of Mr. Newsome,

*Resolved*, That a committee be appointed on the part of Senate to compose a joint committee to contract for the printing of the Laws and Journals, for the political year, 1816.

Ordered, that Messrs. Newsome, Lamar, and Cleveland, be the committee on the part of Senate.

A message from the House of Representatives, by Mr. Turner, their Clerk:

*Mr. President*,

I am directed to inform the Senate, that in consequence of the indisposition and absence of the Speaker, that they have chosen Benjamin Williams, Esq'r. Speaker, *pro-tem*. and he withdrew.

Mr. Hardin, from the joint committee to wait on his Excellency the Governor reported, that his Excellency would lay his communication before this branch of the Legislature, at 12 o'clock this day.

On motion of Mr. Hogg,

*Resolved*, that a committee be appointed to make such claim, demand or request, on the United States, as they may think proper, for a further addition of Territory, agreeably to articles of agreement entered into on the

24th day of April, 1802, between the Commissioners of the State of Georgia on the one part, and the Commissioners of the United States, on the other part, by which agreement the United States appear to stand bound to relinquish for the use of Georgia, as early as the same can be peaceably obtained on reasonable terms, the Indian title to a certain tract of land or territory, pointed out by the said Commissioners, and that the committee report as soon may be.

Ordered to lie on the table.

A message from the House of Representatives, by Mr. Turner, their Clerk :

*Mr. President,*

The House of Representatives have passed the following resolution :

*Resolved,* That the Senate will convene in the Representative Chamber on Thursday next, at one o'clock, for the election by joint ballot of the Judges for the several Judicial districts of the State, and an Attorney General, and three Solicitors—and he withdrew.

The Senate took up the message, which being read was amended, strike out "the Senate," and insert "both branches of the Legislature," and concurred in as amended—ordered that the Secretary do carry this resolution to the House of Representatives, for their concurrence to the amendment.

On motion of Mr. Newsome,

*Resolved,* That a committee be appointed to see that the Journals of the Senate are correctly recorded during the present session.

Ordered, that Messrs. Newsome, Beasley and Culens, be that committee.

Mr. Foster, notified the senate that he will to-morrow move for the appointment of a committee to report a bill, to be entitled an act to authorise Notly Whitcombe to build a Merchant Mill adjoining his own land on Savannah river.

Mr. Harris, notified the Senate that he will on to-morrow move for a committee to prepare and report a bill, to alter and amend the twelfth section of the first article of the constitution of this state.

A message from His Excellency the Governor, by his secretary, Mr. Heath :

*Mr. President,*

I am directed by his Excellency the Governor, to lay before this Branch of the Legislature, his Communication, with the accompanying Documents—and he withdrew.

The Senate took up the message, and the following Communication being read, to wit :

EXECUTIVE DEPARTMENT, GEORGIA,  
MILLEDGEVILLE, 5th November, 1816.

*Fellow-Citizens of the Senate,  
and House of Representatives,*

WHEN we contemplate the present condition of other

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nations, and contrast their situation with our own, what sentiments of gratitude does it not inspire to that divine providence under whose protection and indulgence we enjoy so many blessings, of which it is their unhappy lot to be deprived?

In Europe, military despotism occupies the place of civil liberty, and in many instances aggravated by bigotry and religious intolerance, tramples under foot the sacred rights of man : Nor is the condition of the greater part of Asia less wretched, whilst at least two thirds of the miserable inhabitants of Africa are lost, as it were, in one eternal night of gross ignorance, superstition and paganism ; and the rest have for centuries past, subsisted by the precarious and licentious means of piracy and plunder. In turning our eyes from those scenes of despotism, ignorance, superstition and rapine, our sympathy is excited in behalf of the struggling sons of liberty in the Spanish possessions on our own continent ; nor will the amicable relations subsisting between our government and that of old Spain, forbid the hope, that their efforts may be crowned with success.

In our happy country, the government of which is founded upon the basis of equal rights, and where the military is subordinate to the civil authority ; and merit is the only sure passport to distinction and office, the efforts of one of the most powerful nations on earth in attempting to enforce their illegitimate pretensions to control our commerce, and regulate our intercourse with foreign nations at their will, has only served to exalt the American character to proud eminence, to cement our union, unfold our resources and falsify the assertion, that our constitution had not sufficient energy to maintain the independence of the nation. But whilst theorists and the advocates of monarchy are indulging themselves in the belief of the weakness of our system, it is both our pride and happiness to know, that our gallant army and navy, although as it were, in their infancy, and composed of citizens hastily collected from the private walks of life, and unaccustomed to military discipline, gave the enemy, in our recent contest, such proofs of republican energy, as made them glad to withdraw their royal mercenaries from the conflict, under a succession of disasters which confounded themselves, and astonished all Europe.

The nation now reposing in the lap of peace, enjoying a much larger share of prosperity and happiness than any other people on earth, we ought not to be unmindful of the merits and services of those eminent statesmen and patriots, whose zeal for the public service, and ability in conducting us to our present envied eminence, entitle them to the best gifts of the republic—the confidence and gratitude of a free people.

What a weight of obligation does not our present happy and enviable situation impose upon us, to cherish, support and maintain, our invaluable constitution in its present shape and form ? Let us zealously endeavor to

discharge this obligation by all the means in our power. It has been often said, and I think truly, that knowledge is one of the surest means by which liberty is either to be obtained or preserved; and that knowledge which is improved, enlarged and refined by a liberal education, is undoubtedly the best. If we turn to the historic page we shall find, that all those nations who encouraged and patronized learned men, and institutions for the education of their youth, were the most free; and if for a time they fell under oppression, they seldom failed to embrace the first favorable opportunity to break their fetters, and re-establish their freedom.—Even in Europe at this day, it is the gross ignorance, bigotry and superstition of the great mass of the people (with very little exception) which enables a few military despots to lord it over their fellow creatures and keep them in their present slavish condition.

The human mind unimproved by education has been very aptly compared to a block of marble in its native state. It is the artist who gives it the polish, and presents to the eye its hidden beauties which we so much admire—just so is the influence of education upon the human mind. It is therefore by education that we are to increase our knowledge, and thereby establish one of the firmest supports to our present republican form of government.

Our state has in this respect done much, but she ought still to do much more.—Thirty years experience has proven that the legislative provision for the establishment and support of our county Academies, is altogether insufficient: but few of them have gone into operation, and those that have, it is well known, have been greatly aided by individual patronage. The great increase of our territory and population and the inadequacy of the fund heretofore appropriated for this purpose, seems to me to require further legislative provision.

It is highly gratifying to witness the individual efforts now making in many parts of the state, for the establishment and support of private schools and Academies; and will the legislature of Georgia refuse to encourage and promote these laudable exertions? Surely they will not. Our present state of tranquility and prosperity, with ample resources at command, is peculiarly favorable for the prosecution of this object. Enlighten the rising generation, and their liberties will be secure—leave them in ignorance, and they may be made slaves.

Whilst on the subject of education permit me to recommend for your consideration, a careful revision of the laws heretofore passed, for suppressing vice and immorality. Good morals are all important in estimating the value of a liberal education. A public Seminary of learning without morals would be a stain upon our character, and a curse to our country; and with them, not only one of the brightest ornaments but one of the greatest blessings we can possess. A disregard of moral instruction will have an inevitable tendency to promote

luxury and vice, and ultimately endanger, if it does not entirely overthrow, our present happy government. It is true that much of the luxury which we ought to dread as the parent of vice must be imported from abroad, and that the regulation and control of our external relations depend upon the acts of the general government; but it is nevertheless in the power of the state legislatures to afford important aid to the laws of the union in this respect.

The revision of our penal Code has been committed, agreeably to the wish of the last legislature, to two gentlemen of eminent legal talents and general knowledge; and the result of their labor is herewith communicated. I trust it will be found worthy of your acceptance.

Our Penitentiary Edifice being now partially prepared, and before another session of the Legislature will be in a complete state of readiness to receive offenders, the period has arrived when it becomes the duty of the Legislature, to furnish a system of government for its internal regulation: And it will not escape your observation, that the future usefulness of this institution will very much depend upon a suitable organization, and a judicious choice of officers. The first impression will be of vast importance. Permit me to invite your most deliberate and serious attention to this subject.

The gentlemen appointed by the last Legislature to to revise our military System, did not convene until a very recent day. From their acknowledged talents, experience and zeal, I have every reason to hope, notwithstanding the late period of their meeting, that they will be able to report the result of their labor, in due season for your consideration during the present session. That the system they may propose may meet the general expectation, by placing our Militia in a situation in point of discipline, which shall make them, not a nominal, but, a real and efficient military force, calculated for the protection and defence of the national rights; and that it may ultimately receive the stamp of the Legislative authority, is greatly to be desired.

By a provision in the act, establishing the Bank of the State of Georgia, passed at the last session, the sum of \$ 250,000 was required to be raised in specie, from the subscription to the Capital Stock, and in the hands of the Commissioners, before Directors should be elected, or any other step taken to organize the Bank. By another provision of the same act, seventeen per centum of the amount of the capital was required to be paid at the time of subscribing; and twenty per centum more at the expiration of six months thereafter. To make up the first sum of \$ 250,000 in specie, it became indispensable that the state should subscribe for the shares reserved for her by the law, otherwise its operation must have been suspended until the Legislature should



again convene; and the want of an appropriation to enable the Executive to draw on the public funds for the amount of the first payment of the subscription, and particularly the want of the requisite amount in specie, presented some difficulty: But by a resolution passed at the close of the session, authorising the Executive to adopt such measures as he might see fit for giving effect to the law, and putting the Bank in operation—this difficulty was partly removed. Under this authority, the amount of the seventeen per centum of the state's subscription, including the one thousand shares reserved for the University, was by an executive order, deposited by the Treasurer, in the hands of the Commissioners in bills of the Augusta and Planters' banks; and under the same authority, I proceeded to Augusta and Savannah for the purpose of negotiating with the Banks there, for an advance of specie, upon a deposit of their own notes by the commissioners, or Directors of the State Bank. My proposition to them was promptly met; and with a liberality which does the conductors of those institutions much credit, a large sum in specie was promised, and has since been paid, or is ready to be paid to the Directors of the State Bank. This Bank is now, and has been for some time past in operation in Savannah, and branches are now established at this place and in Augusta, as required by law. From this development of facts, you will perceive the necessity of an appropriation at the present session, to cover as well the first payment, as also the second, which has been some time due, but which can be made as soon as appropriated. Indeed, it may be more proper to appropriate the whole amount, by which, the Executive will be enabled to comply with the requisitions made by the Bank on the amount of the subscription, until the whole shall be paid.

By the appropriation law for the present year, a specific sum and fund was designated, from which to pay the States' quota of Direct Tax to the United States for the year 1816; but upon examination, it was found to be doubtful, whether the fund designated, could be relied upon for this payment, so as to give the state the advantage of the discount of 10 or 15 per centum, on the amount of the tax. And the state being in possession of drafts of the Treasurer of the United States, to a competent amount, payment was tendered in those drafts, and after some difficulty on the part of the Secretary of the Treasury, accepted; leaving a question which arose on the subject of the notice, for the decision of Congress. The correspondence between the Executive and the Secretary of the Treasury, herewith submitted, will furnish all the requisite light to a clear and full understanding of this subject. It may however be proper to appropriate the amount, so as to authorise a warrant to be drawn; for although the amount in money never was in our Treasury, the payment having been made by way of discount, yet it may be the

safest course, to consider the drafts as money, since they have been received in payment as such.

The Treasurer's Abstract, which will be laid before you in due season by that officer, will exhibit a concise but distinct view of the state of our funds, and presents matter of real gratulation to every friend of Georgia. Our means of satisfying every just demand against the state are ample, and the period is at hand when we shall possess an abundant surplus for promoting objects of general and public utility. Amongst those most worthy of your immediate attention and consideration, permit me to recommend, a serious and decided effort for the improvement of the navigation of our rivers, and the repair of our public roads and bridges. To an agricultural state like Georgia, whose products are not only of great value, but of great bulk, and intended for exportation, the facility of getting them to market, is an object of the very first importance. And here I beg leave to repeat what I have before said upon a similar occasion, that the present authority by which the public roads and bridges are made and repaired, is too local. A superintendant appointed by the Legislature, or the Executive, in each Military division, or Judicial district, clothed with the competent authority and means, for procuring and applying the necessary labor, would, I am persuaded, be productive of much benefit, in this particular.

By the death of our worthy revolutionary soldier and patriotic citizen, Major General John Twiggs, of the 2d Division, and the removal of Major General John Clarke of the 2d Division of our Militia, the duty of filling the vacancies thereby occasioned, now devolves upon the Legislature. And it is my duty to remind you, that in addition to those State officers which the Constitution requires you to elect during your present session, you will have to appoint eight Electors of President and Vice President of the United States, and a Senator to represent this state in the Senate of the United States.

A list of Executive appointments made during the recess, and which are subject to legislative interference, is herewith submitted.

D. B. MITCHELL.

State-House, Milledgeville, }  
5th November, 1816. }

Ordered, that Document containing the correspondence between His Excellency Governor Mitchell, and the Hon. A. J. Dallas, be referred to the committee on Finance; also, the statement of Warrants drawn on the Treasury during the political year, 1816, be referred to the committee on Finance—and,

Ordered, that the remainder of the Documents do lie on the table.

On motion of Mr. Nowlan,  
Resolved, That the credentials of James Blackmon,

Esq. returned as Senator for the county of Scriven, be received, read and referred to the committee of Privileges and Elections, with power to report thereon.

Ordered to lie on the table.

Adjourned 'till 10 o'clock to morrow morning.

### WEDNESDAY, 6th November, 1816.

Mr. Nowlan called up the following resolution, laid on the table Tuesday, viz :

*Resolved*, That the credentials of James Blackburn, Esquire, returned as Senator for the county of Scriven, be received, read and referred to the committee of Privileges and Elections, with power to report thereon, and the same being again read, on the question shall this resolution now pass, it was determined in the affirmative? and the yeas and nays being required, are yeas 17—nays 13.

Those in the affirmative, are Messrs.

Reasley,	Harris,	Nowlan,
Blackshear,	Kell,	Pray,
Cleveland,	Lockheart,	Sorrells,
Callens,	T. Mitchell,	Walker, and
Hogg,	N. Mitchell,	Wimberly,
Hopkins,	Newsome,	

Those in the negative, are Messrs.

Burk,	Hardin,	Montgomery,
Byne,	Hatcher,	Pope,
Fleming,	Henly,	Reed, and
Foster,	Hudspeth,	Swain,
Griffin,		

Mr. T. Mitchell notified the Senate, that he will to-morrow, move for a committee to be appointed to report a bill, to be entitled an act, to amend an act, to authorise the Trustees of the University of Georgia, to sell the lands belonging to said University, and to systematise the funds belonging thereto—passed the 30th November, 1815.

Mr. Hudspeth notified the Senate, that he would to-morrow, move for a committee to report a bill for the emancipation of three negroes therein named.

Mr. Fleming notified the Senate, that he will on to-morrow, move for a committee to prepare, and report a bill, to be entitled an act, to admit Ambrose Wright to practice Law in the several Courts of this state.

Mr. Hudspeth notified the Senate, that he will to-morrow, move for a committee to prepare and report a bill, to amend an act, entitled an act, to prohibit the importation of slaves into this state—passed, the 31st day of January, 1798.

Mr. Blackshear notified the Senate, that he will to-morrow, move for a committee to prepare, and report a bill, to be entitled an act, to repeal an act, to revise and amend the Road-Laws of this state, so far as respects

the county of Laurens—passed, the 14th day of December, 1815.

Mr. Hatcher gave notice, that he would on to-morrow, move for a committee to be appointed to prepare, and report a bill, to be entitled an act, to alter and change the names of John, Samuel, and Thomas Y. Myrick, to that of John W. Berry, Samuel Berry, and Thos. Y. Berry.

Mr. Hogg called up the resolution laid on the table yesterday, in the words following :

*Resolved*, That a committee be appointed to make such claim, demand, or request on the United States, as they may think proper, for a further addition of Territory, agreeably to articles of agreement entered into, on the 24th day of April, 1802, between the Commissioners of the state of Georgia, on the one part, and the Commissioners of the United States, on the other part. By which agreement, the U. States appear to stand bound to relinquish for the use of Georgia, as early as the same can be peaceably obtained on reasonable terms the Indian title to a certain tract of Land or Territory, pointed out by the said Commissioners, and that the committee report as soon as may be; and the said resolution being again read, was agreed to, and Messrs. Hogg, Nath'l Mitchell, Fleming, Pope, and Sorrells appointed a committee, in conformity to said resolution.

Mr. Foster agreeably to notice, moved for a committee to report a bill to be entitled an act to authorise Notly Whitcombe to build a merchant mill adjoining his own land on Savannah river.

Ordered that Messrs. Foster, Byne and Wimberly be that committee.

On motion of Mr. Lamar,

*Resolved*, That Alexander Greene and Isaac Bower be, and they are hereby appointed Vendue Masters for the town of Milledgeville.

On motion of Mr. Harris,

*Resolved*, That a committee be appointed to contract for the printing of a sufficient number of copies of the Penal Code, adapted to the Penitentiary system, as reported by the committee appointed for that purpose, and to furnish each member of this Legislature with a copy thereof.

Ordered that Messrs. Harris, Lamar and Newsome be that committee.

On motion of Mr. Henly,

*Resolved*, That His Excellency the Governor inform the Legislature whether any rules for the management of business in the Superior courts have been furnished by the Judges of the Superior courts in this state, agreeably to an act of the General Assembly, passed the 16th December, 1815, and if any, His Excellency be requested to lay the same before the Legislature.

From the county of Wilkes, came the Hon. Mathew Talbot, and from the county of Chatham, the Hon. T.

U. P. Charlton, members of Senate elect, who were severally sworn by the President of Senate and took their seats.

A message from the House of Representatives by Mr. Turner their Clerk.

*Mr. President,*

The House of Representatives have concurred in the resolution appointing a joint committee on the state of the Republic, and in the resolution appointing a joint committee of Finance, and have added committees on their part.

They have passed a resolution that they will on Friday next proceed to the election of a Senator of the U. S. a Major General of the 2d Division of the militia of this State, in place of Gen. John Twiggs, deceased, and a Major General of the 3d Division in place of Gen. John Clark, removed out of said division—and he withdrew.

The Senate took up the message and concurred in said resolution.

On motion of Mr. Charlton,

*Resolved,* That a committee be and are hereby appointed on the part of this branch of the Legislature, to join such as may be appointed by the House of Representatives to report on the Penal Code submitted by His Excellency the Governor.

Ordered that Messrs. Charlton, Kell, Henly, Harris and Montgomery be that committee.

Mr. Hopkins from the committee on privileges and elections, reported to wit:

The committee on privileges and elections, in the case of the contested election of James Blackmon, Esq. and John M. Wade, Esq. beg leave to report:

That on a full examination of the papers and documents, they find that John M. Wade, Esq. has legally a majority of votes, and regret that the presiding Magistrates should so far mistake their duty as to count the name of Mr. Blackmon three times on the same ticket.

Ordered that the report do lie on the table.

Adjourned 'till 10 o'clock to-morrow morning.

## THURSDAY, 7th November, 1816.

The Hon. William A. Knight, a member-elect from the county of Wayne, attended, produced his credentials, and the usual oath being administered to him by the President, took his seat.

The Senate took up the report of the committee on privileges and elections, so far as respects the contested election of the county of Scriven, and the same being read was amended, and agreed to in the following words, to wit:

*Resolved,* That John M. Wade, esquire, is duly elected Senator of the county of Scriven, and that he is entitled to his seat in Senate.

Whereupon, the said John M. Wade, Esq. attended,

and the usual oath being administered to him by the President, took his seat.

On motion of Mr. Talbot,

*Resolved,* That Isaac Anthony be and he is hereby appointed a vendue-master for the town of Washington, in the county of Wilkes.

Mr. Harris, agreeably to notice, moved for the appointment of a committee to report a bill, to alter and amend the 12th section of the first article of the constitution.

Ordered, that Messrs. Harris, Wimberly and Burk, be that committee.

Mr. Mitchell, agreeably to notice, moved for the appointment of a committee to report a bill to amend an act to authorise the Trustees of the University of Georgia, to sell the lands belonging to said University.

Ordered, that Messrs. T. Mitchell, Talbot and Montgomery be that committee.

Mr. Blackshear, agreeably to notice, moved for the appointment of a committee to prepare and report a bill to repeal an act, to revise and amend the road Laws of this State, so far as respects the county of Laurens.

Ordered, that Messrs. Blackshear, Hawdee and Hatcher, be that committee.

Mr. Wimberly gives notice, that he will on to-morrow move for the appointment of a committee, to report a bill to incorporate the town of Marion, in Twiggs county.

Mr. President laid on the table a petition from George Parriss, which was read and referred to the committee on petitions.

On motion of Mr. Henly,

*Resolved,* That a Committee on Petitions be appointed.

Ordered, that Messrs Henly, Cullens and Pope, be that committee.

Mr. Hatcher agreeably to notice, moved for the appointment of a committee, to report a bill to change the names of certain persons therein named.

Ordered that Messrs Hatcher, Griffin and Harris, be that committee.

Mr. Hudspeth, agreeably to notice, moved for the appointment of a committee to report a bill for the emancipation of three negroes therein named.

Ordered, that Messrs. Hudspeth, Montgomery and Blackshear, be that committee.

Mr. Hatcher agreeably to notice, had leave to report a bill to incorporate the town of Irwinton, in the county of Wilkison, which was read the first time.

Mr. Hudspeth, agreeably to notice, moved for the appointment of a committee to report a bill, to amend an act, to prohibit the importation of slaves into this State.

Ordered, that Messrs. Hudspeth, Charlton and Lamar, be that committee.

Mr. Fleming agreeably to notice, moved for the ap-

pointment of a committee, to report a bill to admit Ambrose Wright, to practice in the several Courts of Law in this State.

Ordered, that Messrs. Fleming, Byne and Lockheart be that committee.

Mr. Charlton presented a petition from the Executors of John Gibbon, deceased, which was read and referred to a special committee, consisting of Messrs. Charlton, Nowlan and Wade.

Mr. Fleming gives notice, that he will to-morrow, move for the appointment of a committee to report a bill to improve the navigation of the Great Ogechee river.

On motion of Mr. Hudspeth,

*Resolved*, That the Executive appointment of Thomas W. Cobb, a Trustee of the University of Georgia, in place of George M. Troup, refusing to serve, he and the same is hereby confirmed.

A message from the House of Representatives by Mr. Turner, their Clerk.

*Mr. President,*

I am directed to inform the Senate, that the House of Representatives have concurred in the resolutions appointing joint committees on enrolment, and to contract for printing; and have added committees on their part—and

They have passed a resolution, that both branches of the General Assembly will convene in the Representative Chamber on Saturday next, for the purpose of electing four Judges, for the four several Circuits of this State, and an Attorney General for the Middle, and a Solicitor General for each of the other Judicial Circuits—and he withdrew.

The Senate took up the message and concurred in the resolution on the subject of Elections—and

Ordered, that the Secretary immediately notify the House of Representatives thereof.

Mr. Nowlan presented a petition from Abraham Mallet, late Sheriff of the county of Effingham, which was read and referred to the committee on Finance.

Mr. Fleming from the committee, reported a bill authorising Ambrose Wright to plead and practice Law in this State; which was read the first time.

Mr. Foster gives notice, that he will on Monday next, move for the appointment of a committee, to report a bill for licensing and regulating Pedlars.

Mr. Charlton gives notice that he will on to-morrow move for the appointment of a committee to divorce Thomas W. Rodman and Ann his wife.

Mr. Wimberly gives notice that he will on to-morrow, move for the appointment of a committee, to report a bill to divorce Mathew Wood, and Mourning his wife.

Adjourned 'till 10 o'clock, to-morrow morning.

FRIDAY, 8th November, 1816.

Mr. Kell gives notice, that he will on to-morrow move for the appointment of a committee to report a bill to divorce William Chauvin and Ann his wife.

Mr. Fleming agreeably to notice, moved for the appointment of a committee to report a bill to improve the navigation of the great Ogechee river.

Ordered that Messrs. Fleming, Lamar and Pray be that committee.

Mr. Hopkins gives notice that he will on to-morrow move for the appointment of a committee to report a bill to vest the estates, both real and personal of Noel Fanning, deceased, in Thomas U. P. Charlton and his heirs.

Mr. Hatcher from the committee, reported a bill to change the names of certain persons therein named, which was received and read the first time.

A message from the House of Representatives by Mr. Turner, their Clerk,

*Mr. President,*

I am directed to inform the Senate that the House of Representatives have concurred in the resolution appointing Vendue masters for the town of Milledgeville.

They have passed a resolution appointing Notaries Public for the county of Chatham.

A resolution appointing Notaries Public for the county of McIntosh.

A resolution appointing a Lumber measurer for the town of Darien.

A resolution appointing a joint committee to ascertain what mode will be most beneficial to dispose of the tract of country lately acquired from the Creek Indians—and

A resolution adding on their part Messrs. Rea and Carr to the committee on enrolment—and he withdrew.

The Senate took up the message and concurred in the several resolutions except the one on the subject of the acquired Territory, which was ordered to lie on the table.

The President laid on the table a petition from Rene Fitzpatrick, which was read and referred to the committee on the state of the Republic.

Mr. Wimberly agreeably to notice, moved for the appointment of a committee to report a bill to divorce Mathew Wood and Mourning his wife.

Ordered that Messrs. Wimberly, Harris and Pope be that committee.

Mr. Cleveland agreeably to notice moved for the appointment of a committee to report a bill in addition to, and amendatory of an act to regulate attachments in this state.

Ordered that Messrs. Cleveland, Charlton and Reed be that committee.

Mr. Wimberly agreeably to notice, moved for the appointment of a committee to report a bill to incorporate the town of Marion in the county of Twiggs.

Ordered that Messrs. Wimberly, Hatcher and Black-  
bear be that committee.

Mr. Hardin gave notice that he will on Monday next  
move for leave to report a bill, to amend an act to regu-  
late the admeasurement and inspection of Lumber, &c.

Mr. Charlton from the joint committee to whom was  
referred the Penal Code, submitted by his Excellency  
the Governor,

Reported, that they have no alterations or amend-  
ments to suggest to the Penal Code submitted by His  
Excellency, and beg leave to recommend the adoption  
of the system as prepared by the Commissioners ap-  
pointed by his Excellency, and by him laid before the  
Legislature.

The Senate took up the report which was read and  
agreed to.

Whereupon a bill to be entitled an act to carry into  
effect the Penal Code of this State and the Penitentiary  
System founded thereon, was presented and taken  
for a first reading—progress made and ordered to lie  
on the table.

A message from His Excellency the Governor by  
Mr. Heath, his Secretary,

*Mr. President,*

I am directed by his Excellency the Governor to lay  
before this branch of the Legislature a communication.

The Senate took up and read the communication,  
which is as follows, to wit:

#### EXECUTIVE OFFICE, }

*Milledgeville, 8th November, 1816. }*

In compliance with the resolution of Senate of the  
6th inst. I now lay before them the rules governing the  
practice in the Superior courts of the Eastern, Middle  
and Ocmulgee Circuits. These have been received by  
the Executive some time since, but those of the Wes-  
tern circuit, if there be any, have not been received.  
I have however just received information which induces  
me to believe, that it had been the intention of Judge  
Gresham, to visit this place early during your session,  
and to have made some verbal explanations respecting  
the rules of practice in the Circuit in which he pre-  
sides, but that he has been detained by the indisposi-  
tion of his family. This circumstance will also serve  
to explain the cause of my not communicating those  
which had been received upon your first meeting.

*D. B. MITCHELL.*

Ordered, that the same, with the documents, do lie  
on the table.

A message from the House of Representatives, by  
Mr. Turner, their Clerk:

*Mr. President,*

I am directed to inform the Senate that the House of  
Representatives are now ready to receive them in the

Representative chamber for the purpose of proceeding  
to the elections of a Senator to Congress, a Major Gen-  
eral for the 2d Division, and a Major General for the  
3d Division of the Militia of this state, agreeably to a  
joint and concurred resolution—and he withdrew.

Whereupon the Senate repaired to the Representa-  
tive chamber and being seated, proceeded to said elec-  
tions, and on counting out the ballots, it appeared that  
Col. George M. Troup was duly elected Senator to  
the Congress of the United States, for 6 years from the  
4th day of March next; Brig. Gen. Valentine Walker,  
Major General of the 2d Division of the militia of this  
state, in place of Major General John Twiggs, deceas-  
ed, and Col. Jett Thomas, Major General of the 3d  
Division of the militia of this state, in place of Major  
Gen. John Clarke, removed without the limits of said  
Division.

The Senate then returned to their chamber and took  
their seats—and

Adjourned 'till 10 o'clock tomorrow morning.

#### SATURDAY, 9th November, 1816.

The Hon. Peter Early, a member elect from the  
county of Greene, attended, produced his credentials,  
and the usual oath being administered to him by the  
President of the Senate, took his seat.

Mr. Sorrels gives notice that he will on Monday  
next move for the appointment of a committee to report  
a bill to take the Census agreeably to the Constitution  
of this state.

Mr. Foster from the committee, reported a bill to au-  
thorise Notley Whitcombe to build a Merchant mill—  
which was read the first time.

On motion of Mr. Fleming,

*Resolved,* That James A. Black and Lewis Barrie  
be appointed Vendue masters for the city of Augusta.

The Senate again resumed the first reading of the  
bill to be entitled an act to reform the Penal Code of  
this state and to adapt the same to the Penitentiary sys-  
tem—progressed, and ordered that the further reading  
should be dispensed with for the present.

A message from His Excellency the Governor by  
Mr. Heath, his Secretary.

*Mr. President,*

I am directed to lay before this branch of the Legis-  
lature a communication—and he withdrew.

The Senate took up the said communication, which  
being read was ordered to lie on the table, and is in the  
words following:

*To the Senate,*

*and House of Representatives,*

I have this morning received from the Honorable Wm.



W. Bibb, a letter by which he resigns his seat in the Senate of the United States—and is as follows, viz :  
 “SIR,

“The Senate of the United States will probably be convened on the fourth of March next, and my term of service will expire on the preceding day. It is highly important that the state should be fully represented during the called session; and by retiring at the present moment from the station with which I have been honored, the Legislature will be enabled to provide for that object.

“Consulting therefore those interests, to the advancement of which, my zealous exertions, guided by my best judgment, have been uniformly devoted, I resign my seat in the Senate of the United States.”

I have lost no time in making this communication, that by the election of a successor, the state may be fully represented in the Senate at the approaching session.

**D. B. MITCHELL.**

*Executive-Office, }  
 9th November, 1816.*

A message from the House of Representatives by Mr. Turner their Clerk.

*Mr. President,*

I am directed to inform the Senate that the House of Representatives have concurred in the resolution from Senate, appointing a Trustee of the University of Georgia—and

In the resolution appointing a Vendue Master for the town of Washington, with an amendment.

They have passed a resolution appointing a joint committee to enquire what alterations are necessary in the system of Escheat in this state—and

A resolution appointing Commissioners of the town of Washington—and he withdrew.

Ordered that the said message do lie on the table. Mr. Harris from the committee to contract for printing a number of copies of the Penal Code, reported, which was read and ordered to lie on the table.

A message from the House of Representatives by Mr. Turner, their Clerk.

*Mr. President,*

I am directed to inform the Senate that the House of Representatives are now ready to receive them in the Representative chamber for the purpose of proceeding to the election of four Judges of the Superior Courts, one Attorney General and three Solicitors General, agreeably to a joint and concurred resolution.

Whereupon the Senate repaired to the Representative Chamber, and being seated, proceeded to said elections, and on counting out the ballots, it appeared that the Hon. John Macpherson Berrien, was duly elect-

ed Judge of the Superior Courts of the Eastern District of this State; Robert Raymond Reid, Esquire, Judge of the Middle; John M. Dooly, Esquire, of the Western; and Christopher B. Strong, Esquire, of the Ocmulgee District; and that Roger Lawson Gamble, Esquire, was duly elected Attorney General, of this State; Edward C. Tatnall, Esquire, Solicitor General of the Eastern District; Duncan G. Campbell, Esquire, Solicitor General of the Western; and Rodney Franklin, Esquire, Solicitor General of the Ocmulgee District.

The Senate then returned to their Chamber.

Mr. Hopkins agreeably to notice, moved for the appointment of a committee to report a bill to vest the estates, real and personal, of Noel Fanning, deceased, in Thomas U. P. Charton, and his heirs.

Ordered, that Messrs Hopkins, Hardee and Knight, be that committee.

On motion of Mr. Hardin,

*Resolved,* That the Senate will convene in the Representative Chamber at 12 o'clock on Monday next, to elect eight Electors, to vote for President and Vice-President of the United States, agreeably to the first section of the 2d article of the constitution of the United States, and a Senator in Congress, in place of the Hon. William W. Bibb, resigned.

A message from his Excellency the Governor, by Mr. Heath, his Secretary :

*Mr. President,*

I am directed by His Excellency the Governor, to lay before this branch of the Legislature a Communication—and he withdrew.

The Senate took up and read the Communication, which is in the following words, to wit :

**EXECUTIVE-OFFICE, }  
 8th November, 1816.**

I herewith communicate for the information of the General Assembly, two letters I have recently received from members of the committee who were appointed by a resolution of the last Legislature, to frame and digest a Military system for the Militia of this State. And I regret to have to observe, that the hope I had entertained in regard to this object will not be realized for the reasons assigned in the documents now communicated.

**D. B. MITCHELL.**

Ordered, that the same do lie on the Table.

Adjourned 'till 10 o'clock, Monday morning.

**MONDAY, 11th November, 1816.**

The Senate proceeded to reconsider the journal of

of Saturday, so far as respects the resolution appointing James A. Black and Lewis Barrie, Vendue masters for the city of Augusta.

Ordered, that said resolution do lie on the table.

Also, on motion of Mr. Hudspeth,

They proceeded to re-consider the Journal, so far as respects the resolution appointing the elections of this day—and

Ordered that said resolution do lie on the table.

Mr. Nowlan presented a petition from a number of the inhabitants of the county of Effingham, which being read was, together with a counter petition presented by Mr. Charlton, referred to a select committee, consisting of Messrs. Nowlan, Charlton, Wade, Pray and Hardie.

Mr. Wade presented a Petition from sundry inhabitants of the county of Burke, which was read and referred to a special committee, consisting of Messrs. Wade and Bynce on the part of Senate.

Mr. Hopkins from the committee, reported a bill to vest the estates of Noel Faming, deceased, in Tho's U. P. Charlton and his heirs, which was read the first time.

Ordered, that Messrs. Wimberly, Blackshear, Hatcher and Charlton be a committee on Petitions for Divorces, and that all Petitions for Divorces be referred to them.

A message from the House of Representatives by Mr. Turner their Clerk,

*Mr. President ;*

The House of Representatives have passed a resolution, that both branches of the Legislature will convene in the Representative chamber on Tuesday next, to elect eight Electors for President and Vice President of the United States—and he withdrew.

The Senate took up the message, and the same being read, was concurred in with the following amendment, add "a Senator in Congress in place of the Hon. William W. Bibb resigned, and a Brigadier General in place of Brigadier V. Walker promoted."

Mr. Charlton, agreeably to notice moved for the appointment of a committee to prepare and report a bill to be entitled an act to Divorce Thomas W. Rodman and Ann his wife.

Ordered to be referred to the committee on Divorce bills.

Mr. Hogg presented a Petition from Jeremiah Sparks, which was read and referred to the committee on Finance.

Mr. Lockhart gives notice that he will on to-morrow move for the appointment of a committee to report a bill, to alter and amend the 9th section of the third article of the Constitution of this state.

Mr. Lamar gives notice that he will on to-mor-

D

row move for the appointment a committee to report a bill to Divorce James H. Perdue and his wife.

Mr. Kell gives notice that he will on to-morrow move for the appointment of a committee to prepare and report a bill to amend the first section of the 3d article of the Constitution of this state, so far as regards the term that the Judges of the Superior courts hold their offices.

Mr. Kell gives notice that he will on to-morrow move for the appointment of a committee to prepare and report a bill to divide the State of Georgia into Congressional Districts.

Mr. Sorrells, agreeably to notice moved for the appointment of a committee to prepare and report a bill to take the Census, agreeably to the Constitution of this State.

Ordered that Messrs. Sorrells, Early and Kell be that committee.

A message from His Excellency the Governor by Mr. Heath his Secretary,

*Mr. President ;*

I am directed by His Excellency the Governor to lay before this branch of the Legislature a Communication—and he withdrew.

The Senate took up the message, and it appearing to contain an Exemplification of the record of the Superior court of Putnam county in the case of the State vs Agness Hogg alias Agness Yates for Murder, was referred to a special committee, consisting of Messrs. Montgomery, Reed and Lamar.

The Senate again resumed and concluded the first reading of the bill to reform the Penal Code, and to adapt the same to the Penitentiary system.

The bill to incorporate the town of Irwinton in the county of Wilkinson was read the 2d time,

Ordered for a third reading.

The President laid on the table a letter from George R. Clayton, Esq. enclosing his Abstract, which was referred to the committee on Finance.

Mr. Wade gives notice that he will on to-morrow move for the appointment of a committee to report a bill to legalize the proceedings of the Sheriffs and Clerks of the Middle Judicial circuit of this state.

Mr. Charlton gives notice that he will on to-morrow move for the appointment of a committee to report a bill to regulate the duties of Health officer for the port of Savannah, and to establish his fees.

The following bills were read a second time, to wit :

A bill to change the name of certain persons there-in mentioned—ordered for a 3d reading.

A bill to authorise Ambrose Wright to practice law in this state—ordered for committee of the whole.



And a bill to authorise Notly Whitcombe to build a Merchant mill—ordered for a committee of the whole.

On motion of Mr. Hatcher,

*Resolved*, That Eli Brack be and he is hereby appointed a Commissioner of the Academy of Wilkinson county, in place of John Ball, dec'd.

Mr. Harris gives notice that he will on to-morrow move for the appointment of a committee to prepare and report a bill to enquire into the expediency of improving the navigation of the Ocmulgee river.

Mr. Nowlan gives notice that he will on to-morrow move for the appointment of a committee to report a bill to change the names of certain persons therein named.

On motion of Mr. Foster,

*Resolved*, That George Cary, Esq. be and he is hereby appointed a Notary Public for the county of Columbia.

The Senate took up and agreed to the amendment made by the House of Representatives to the resolution appointing a Vendue master for the town of Washington.

They concurred in the resolution appointing a Commissioner of the town and Academy of Washington.

In the resolution appointing a joint committee to enquire what alterations, if any, are necessary in the system of Escheat in this state, and added on their part Messrs. Montgomery, Charlton and Talbot—and

In the resolution appointing a joint committee on the subject of the Territory lately acquired from the Creek nation of Indians—and added on their part Messrs. Early, Beasley, Lamar, Kell and Hardin.

A message from the House of Representatives by Mr. Turner their Clerk,

*Mr. President* ;

I am directed to inform the Senate that the House of Representatives have agreed to the amendments of Senate to the resolution on the subject of elections which are to take place to-morrow—and he withdrew.

Mr. Nowlan laid on the table a letter from Tho's Rawls, Esq. which was read and referred to the committee on Privileges and Elections.

Adjourned 'till 10 o'clock to-morrow morning.

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TUESDAY, 12th November, 1816.

Agreeably to notice, Mr. Wade moved for the appointment of a committee, to prepare and report a bill, to legalise the proceedings of the Sheriffs and Clerks of the middle Judicial Circuit of this State.

Ordered, that Messrs. Wade, Walker and Foster, be that committee.

Mr. Lockhart notified the Senate, that he will on to-morrow, move for the appointment of a committee to report a bill, to keep in repair the road leading from Milledgeville to Savannah.

Mr. Blackshear gave notice, that he will on to-morrow move for a committee, to prepare and report a bill to be entitled an act, to alter the names of John Smith and his children, Sarah, James, Sherod and Mary Smith, to that of John Hudson, Sarah Hudson, James Hudson, Sharod Hudson & Mary Hudson.

Agreeably to notice, Mr. Lockhart moved for a committee to prepare and report a bill, to alter and amend the 9th section of the 3d article of the Constitution of this State.

Ordered, that Messrs. Lockhart, Fleming and Byne, be that committee.

Mr. Hardin agreeably to notice, reported a bill, to be entitled an act, to amend an act, to regulate the admeasurement and inspection of Lumber, Staves, Shingles and for other purposes, which was received and read the first time.

The Senate proceeded to the second reading of the bill, to be entitled an act, to reform the Penal Code and to adapt the same to the Penitentiary system, and having made some progress, was ordered to lie on the table.

A message from the House of Representatives by Mr. Turner, their Clerk.

*Mr. President*,

I am directed to inform the Senate, that the House of Representatives have passed a bill to divorce Nancy Jones, and Thomas her husband—and

A bill to incorporate Eatonton Academy, &c.

They have passed a resolution, appointing Notaries Public, for the town of Milledgeville—and

A resolution, appointing a joint committee on their part, to join such as may be appointed by Senate, to take into consideration the militia Laws of this State—and he withdrew.

The Senate took up the message, and concurred in the resolutions, and appointed on their part, on the joint military committee, Messrs. Walker, Blackshear, Byne, Cleveland and Wimberly.

Ordered, that the bills lie on the table.

Mr. Kell agreeably to notice, moves for the appointment of a committee, to prepare and report a bill, to amend the first section of the third article of the Constitution, so far as regards the term that the Judges of the Superior Courts hold their offices.

Ordered, that Messrs Early, Kell and Charlton, be that committee.

Mr. Kell agreeably to notice, moves for the ap-

pointment of a committee, to prepare and report a bill to divide the State of Georgia into Congressional Districts.

Ordered, that Messrs. Kell, Byne, Foster, Talbot and Lamar, be that committee.

Mr. Walker presented a petition from John M'Kinne and Henry Shults, which was read and referred to the committee on the State of the Republic.

A message from the House of Representatives by Mr. Turner their Clerk.

*Mr. President,*

I am directed to inform the Senate, that the House of Representatives are now ready to receive them in the Representative Chamber, for the purpose of proceeding to the election of a Senator to Congress, to fill the vacancy of the Hon. William W. Bibb, resigned, eight Electors, for President and Vice-President of the United States, and a Brigadier General, to fill the vacancy of Brigadier General Valentine Walker, of the first Brigade of the 2d Division of the Militia of this State, promoted—and he withdrew.

Whereupon, the Senate repaired to the Representative Chamber, and being seated, proceeded to said Elections, and on counting out the Votes, it appeared that the Hon. George M. Troup, was duly elected a Senator in the Congress of the U. States, to fill the vacancy occasioned by the resignation of the Hon. William W. Bibb; that Col. Thomas Glascock, was duly elected Brigadier General of the 1st Brigade of the 2d Division of the Militia of this State, in the place of Brigadier General Valentine Walker, promoted; and that John M'Intosh, Jared Irwin, Charles Harris, John Rutherford, Henry Mitchell, David Adams, John Clarke, and David Meriwether, Esquires, were duly elected Electors of President and Vice-President of the United States.

The Senate then returned to their Chamber—and Adjourned 'till 10 o'clock tomorrow morning.

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WEDNESDAY, 13th November, 1816.

The Senate re-considered the Journal of yesterday so far as respects the petition of John M'Kinne and Henry Shults—and

Ordered, that said petition, do lie on the table.

Mr. Hudspeth from the committee, reported a bill to be entitled an act, to enable the Executors of the last will and testament of John Hardin, deceased, to carry the same into effect, which was read the first time.

Mr. Sorrells from the committee, reported a bill, to be entitled an act, to provide for taking the census of this State, as required by the Constitution, which was read the first time.

A Communication from His Excellency the Governor, by his Secretary, Mr. Heath, was received, enclosing the resignation of Col. Christopher B. Strong, as Pay-Master General of this State.

Mr. Wimberly from the committee, reported a bill, to be entitled an act, to regulate the town of Marion, in the county of Twiggs, which was read the first time.

Mr. Harris from the committee, reported a bill, to be entitled an act, to alter and amend the 12th section of the 1st article of the Constitution, which was read the first time.

Mr. Hopkins gave notice, that he will on to-morrow, move for a committee to prepare and report a bill, to be entitled an act authorising a part of the Camden Battalion, to muster in the town of St. Mary's.

Mr. Hopkins, also, presented a petition from the Inhabitants of the Island of St. Simons, which was read, and ordered to lie on the table.

On motion of Mr. Wimberly,

*Resolved*, That Arthur C. Perry and Wm. Dunn, be, and they are hereby appointed Commissioners of the Public Buildings in the county of Twiggs, in the place of Jacob Ricks, dec'd. and James Ware, resigned.

Mr. Harris agreeably to notice, moved for a committee, to enquire into the expediency of improving the navigation of the Ocmulgee River.

Ordered, that Messrs. Harris, Beasley, Pope, Wimberly and Griffin, be that committee.

A message from the House of Representatives, by Mr. Turner, their clerk:

*Mr. President,*

The House of Representatives have passed a bill to be entitled an act, to divorce and separate Clivis Andrews and Elizabeth his wife, and John Battle and Sarah his wife—

A bill, to divorce and separate Benjamin Head, and Margaret Head his wife—and

A bill, to be entitled an act, to incorporate the Milledgeville Mechanic Society—and he withdrew.

Ordered, that the message do lie on the table.

The Senate resolved itself into a committee of the whole, on the bill, to admit Ambrose Wright to plead and practice law.

Mr. Byne in the Chair—Mr. President resumed the Chair, and Mr. Byne reported, that the further consideration of said bill be postponed until the 1st Monday in June next.

The Senate took up, and agreed to the report.

Mr. Cleveland from the committee, reported a

bill, for altering the uniform of the militia officers of the state of Georgia, which was read the first time.

The bill, to be entitled an act to divorce and separate Nancy Jones and Thomas Jones her husband, was read the 1st time.

The bill, to be entitled an act, to incorporate Eatonton Academy in the county of Putnam, and to invest the funds of Union Academy in said county, in the Trustees of Eatonton Academy, was taken up and read the first time.

The bill, to be entitled an act, to incorporate the Milledgeville Mechanic Society, was read the first time.

The bill to divorce and separate Benj Head and Margaret Head his wife, was read first time.

The bill to divorce and separate Clevis Andrews, and Elizabeth his wife, and John Battle and Sarah, his wife, was read first time.

The bill to be entitled an act, to alter and change the names of John W Samuel, and Thomas Y. Myrick, to that of John W Samuel and Thomas Y. Berry, was read the 3d time and passed.

The bill to be entitled an act, to incorporate the town of Irwinton, in the county of Wilkinson, was taken up, read the third time, and passed—and

The bill, to be entitled an act, to amend an act, to regulate the admeasurement and inspection of Lumber, Staves, Shingles, and for other purposes, was read the second time.

Ordered for a committee of the whole.

The bill to be entitled an act to vest the estates of Noel Faming, dec'd. in Tho's U. P. Charlton and his heirs, was read the 2d time, and ordered for committee of the whole.

Mr. Nowlan from the committee, reported a bill to be entitled, an act to alter & change the names of certain persons therein named, which was read the first time.

On motion,

Ordered, that the report of the committee on the subject of Indian Territory, be re-committed, and that Messrs. Early and Charlton be added to that committee.

Mr. Charlton, agreeably to notice moved for a committee to report a bill to be entitled, an act to regulate the duties of Health officer for the port of Savannah, and to establish his fees.

\* Ordered, that Messrs. Charlton, Nowlan and Pray be that committee.

Mr. Walker gives notice that he will on to-morrow move for the appointment of a committee to report a bill to amend the 5th section of an act, for the appointment of county officers, passed 16th February, 1799.

Mr. Charlton from the committee on Divorce bills,

reported a bill to divorce certain persons therein named—which was read the first time.

Mr. Blackshear, agreeably to notice moved for the appointment of a committee, to prepare and report a bill to alter the names of certain persons therein named.

Ordered, that Messrs. Blackshear, N. Mitchell and Griffin be that committee.

The Senate resumed and concluded the 2d reading of the bill to reform the Penal Code of this State, and to adapt the same to the Penitentiary system—ordered for a committee of the whole.

A message from the His Excellency the Governor by Mr. Heath his Secretary,

*Mr. President ;*

I am directed by His Excellency the Governor to notify the Senate that he has approved of the resolution which originated in this branch of the Legislature appointing Vendue masters for the town of Milledgeville.

The resolution appointing Vendue masters of the town of Washington in Wilkes county—and

The resolution confirming the Executive appointment of Thomas W. Cobb, a Trustee of the University of Georgia, in place of George M. Troup refusing to serve—and he withdrew.

A message from the House of Representatives by Mr. Turner their Clerk.

*Mr. President ;*

I am directed to inform the Senate that the House of Representatives have passed a resolution that both branches of the Legislature will convene in the Representative chamber on Friday next at 12 o'clock, for the purpose of electing a Paymaster General in place of Col. Christopher B. Strong, resigned—and he withdrew.

Ordered, that the said resolution lie on the table.

Mr. Charlton, from the committee reported a bill to regulate the duties of Health officer of the Port of Savannah, and to establish his fees, which was received and read the first time.

The Senate took up the resolution from the House of Representatives on the subject of election, which was agreed to with the following amendment, to wit: "strike out 'Friday' and insert 'Saturday,' and add, and six Directors of the Bank of the State of Georgia, and two Directors of the Planters' Bank."

Mr. Hardin from the committee on Privileges and Elections reported, which was ordered to lie on the table.

Mr. Knight gives notice that he will on to-morrow move for the appointment of a committee to prepare and report a bill to compel persons not residing

in the county of Camden, Glynn and Wayne, owning or claiming lands in said counties, surveyed prior to the year 1800, to re-survey their lands in two years.

Mr. Hardin gives notice that he will on to-morrow move for the appointment of a committee to prepare and report a bill to revise, amend and consolidate the several Patrol laws now in force in this state.

Adjourned 'till 10 o'clock to-morrow morning.

#### THURSDAY, 14th November, 1816.

Mr. Knight agreeably to notice, moved for a committee to prepare and report a bill, to compel persons, not resident of the counties of Camden, Glynn and Wayne, owning or claiming Lands in said counties, surveyed prior to the year 1800, to re-survey their lands within the term of two years thereafter.

Ordered, that Messrs. Knight, Hopkins and Hardie, be that committee.

Mr. Cullens notified the Senate, that he will on to-morrow, move for the appointment of a committee to prepare and report a bill, to authorise the Commissioners of the Washington county Academy, to sell a certain lot in Sandersville, for the use of said Academy.

Mr. Harris notified the Senate, that he will on to-morrow, move for the appointment of a committee, to prepare and report a bill, to regulate the admission of evidence in the courts of law and equity within this state, in certain cases.

On motion of Mr. Cullens ;

*Resolved.* That Thomas B. Rutherford be, and he is hereby, appointed a Notary Public, for the county of Washington.

Agreeably to notice, Mr. Walker moved for a committee, to report a bill, to be entitled an act, to amend the 5th section of an act, for the appointment of county officers—passed on the 16th day of February, 1799.

Ordered, that Messrs. Walker, Foster and Newsome, be that committee.

Mr. Lamar notified the Senate, that he will on to-morrow, move for a committee, to prepare and report a bill, to authorise the Commissioners of the Academy of Baldwin county, to sell six lots in the town of Milledgeville, for the support of said Academy.

Mr. Hardin agreeably to notice, moved for a committee to report a bill, to be entitled an act, to revise, amend & consolidate the several Patrol Laws now in force in this State.

Ordered, that Messrs. Hardin, Fleming and Swain be that committee.

Mr. Lockhart from the committee, reported a bill, to be entitled an act, to alter and amend the 9th section of the 3d article of the Constitution, which was read the first time.

Mr. Blackshear agreeably to notice, reported a bill, to be entitled an act, to alter and change the names of certain persons therein mentioned, which was read the first time.

He also, reported a bill, to be entitled an act, to repeal an act, entitled an act, to revise and amend the road laws, so far as respects the county of Laurens—passed 14th December, 1815 ; which was read the first time.

The following bills, were severally taken up, and read the second time.

A bill, to be entitled an act, for altering the uniform of the militia officers of the state of Georgia.

Ordered for a third reading.

A bill, to be entitled an act, to divorce and separate Clevis Andrews and Elizabeth his wife, and John Battle and Sarah his wife.

Ordered for committee of the whole.

A bill, to divorce and separate Nancy Jones and Thomas Jones her husband.

Ordered for committee of the whole.

A bill, to be entitled an act, to regulate the duties of Health Officer, of the port of Savannah, and to establish his fees.

Ordered for committee of the whole.

A bill, to be entitled an act, to incorporate the Milledgeville Mechanic Society.

Ordered for committee of the whole.

A bill, to be entitled an act, to divorce and separate Benjamin Head and Margaret Head his wife.

Ordered for committee of the whole.

A bill, to be entitled an act, to alter and change the names of certain persons therein mentioned.

Ordered for a third reading.

A bill, to be entitled an act, to enable the Executors of the last will and testament of John Hardin, deceased, to carry the same into effect.

Ordered for committee of the whole.

A bill, to be entitled an act, to divorce Thomas W. Rodman and Ann his wife—Mathew Wood and Mourning Wood his wife—William Chauvin and his wife.

Ordered for committee of the whole.

A bill, to be entitled an act, to provide for the taking the census of this state, as required by the Constitution.

Ordered for committee of the whole.

A bill, to be entitled an act, to regulate the town of Marion.

Ordered for a third reading.

A bill, to be entitled an act, to alter and amend the 12th section of the 1st article of the constitution.

Ordered for committee of the whole.

A bill, to be entitled an act, to incorporate Eaton Academy, in the county of Putnam, and to invest the funds of Union Academy in said county, in the Trustees of Eatonton Academy.

Ordered for a third reading.

Mr. Talbot presented a petition from Wm. Cuthbert, a person of colour, which was read and referred to Messrs. Talbot, Kell and Henly, a committee thereon.

The Senate resolved itself into a committee of the whole, on the bill, to be entitled an act, to authorise Notley Whitcombe, to build a merchant mill, adjoining his own land—Mr. Walker in the chair, Mr. President resumed the chair, and Mr. Walker reported, that they had gone through the bill, without any amendment.

Mr. Foster moved, that the Senate do now take up the report—on the question to agree, it was determined in the negative—and the yeas and nays being required, are yeas 9—nays 25.

Those who voted in the affirmative, are Messrs.

Byne,	Hardee,	Pray,
Charlton,	Hogg,	Swain, and
Foster,	Newsome,	Walker.

Those who voted in the negative, are Messrs.

Beasley,	Hatcher,	Montgomery,
Blackshear,	Henly,	Nowlan,
Burke,	Hopkins,	Pope,
Cleveland,	Hudspeth,	Reed,
Cullens,	Kell,	Sorrells,
Early,	Knight,	Talbot,
Fleming,	T. Mitchell,	Wade and
Griffin,	N. Mitchell,	Wimberly.
Hardin,		

Whereupon, on motion of Mr. Montgomery,

*Resolved*, That the report of the committee of the whole, on said bill, do lie on the table for the balance of the session.

The Senate resolved itself into a committee of the whole, on the bill, to be entitled an act, to amend an act, to regulate the admeasurement and inspection of Lumber, Staves, Shingles, and for other purposes.

Mr. Montgomery in the chair—Mr. President resumed the chair, and Mr. Montgomery reported, that they had gone through the bill, with amendments.

The Senate took up the report, and the amendments were agreed to—and

The said bill was read the third time, and passed.

The Senate took up the report, of the committee of Privileges and Elections—in the words following—

The committee on Privileges and Elections, report, as follows, to wit :

They having examined the certificates of the members composing Senate, find them correct ; but

on a view of two letters, one from James Bozeman, Comptroller General, to Thomas Rawles, Esq. dated Milledgeville, 16th October, 1815, and the other from Thomas Rawles, to the President of the Senate, which are herewith transmitted, together with two certificates from the Comptroller General, all which leads your committee to believe, that the sitting member from the county of Bulloch, has failed to pay his tax for the year 1813—and beg leave to submit this opinion to the Senate—and the said report being read,

On motion of Mr. Blackshear, that the following be added as an amendment.

*It is therefore resolved*, That the said sitting member is not constitutionally qualified as a Senator, and cannot hold his seat.

On motion of Mr. Montgomery,

*Resolved*, That the report with proposed amendment, and the documents do lie on the table.

On motion of Mr. Walker,

Ordered, that Mr. Hopkins, be added to the committee already appointed to revise the militia laws of this state.

Mr. Pray notified the Senate, that he will on tomorrow move for the appointment of a committee to prepare and report a bill, to tax the Marine & Fire Insurance Company of the City of Savannah.

Agreeably to notice, Mr. Hopkins moved for the appointment of a committee, to report a bill to repeal an act authorising a part of the Camden Battalion, to muster in the town of St. Mary's.

Ordered, that Messrs. Hopkins, Nowlan & Knight be that committee.

Mr. Walker from the committee, reported a bill, to be entitled an act, to amend the fifth section of an act, for the appointment of county officers—passed on the 16th day of February, 1799—which was read the first time.

Mr. Wade from the committee, reported a bill to be entitled an act to legalize and make valid the acts and proceedings of the Sheriffs, Clerks and other officers belonging to the Middle Judicial circuit, or district of this state, which was read the first time.

Mr. Kell from the committee, reported a bill to be entitled an act to alter the first section of the 3d article of the Constitution, which was read the first time.

Mr. Hudspeth presented a Petition from the Executors of Beverly Lowe, deceased, which was received and referred to the committee on Petitions.

The Senate resolved itself into a committee of the whole, on the bill to Divorce and separate Clevis Andrews and Elizabeth his wife, and John Battle and Sarah his wife—Mr. Hudspeth in the Chair—Mr. President resumed the Chair, and Mr. Hudspeth reported progress and had leave to sit again.

A message from the House of Representatives, by Mr. Turner their Clerk.

*Mr. President;*

The House of Representatives have passed the following bills:

A bill to be entitled an act to restore William Wall and Andrew Gnarde, two persons of color, to the privilege of piloting vessels to and from the several ports in this state.

A bill to Pardon Agness Hogg, alias Agness Yates.

A bill to be entitled an act to pardon Robert M'Mannis of the county of Richmond—and

A bill to divorce David Terry and Susannah his wife—and he withdrew.

The Senate took up the message and the said bills were severally read the first time.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to regulate the duties of Health officer of the port of Savannah, and to establish his fees—Mr. Newsome in the chair, Mr. President resumed the chair, and Mr. Newsome reported progress and had leave to sit again.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to alter and amend the 12th section of the first Article of the Constitution—Mr. Hopkins in the chair—Mr. President resumed the chair, and Mr. Hopkins reported progress and had leave to sit again.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act to take the Census of this state as required by the Constitution—Mr. Nowlan in the chair—Mr. President resumed the chair, and Mr. Nowlan reported that they had gone through the bill with amendments.

The Senate took up the report and the amendments were agreed to.

A Communication was received from His Excellency the Governor, by Mr. Heath, enclosing a letter from Col. Hammond, Secretary of State, on the subject of Grants, which was read and referred to the committee on the state of the Republic.

Mr. Nowlan from the committee, reported a bill to be entitled an act to repeal an act to authorise John Martin Dasher to keep open and improve the navigation of Ebenezer mill creek, and to erect mills thereon, and to prevent persons from placing obstructions, so as to prevent the free use of navigation of the same, which was read the first time.

Mr. Charlton gave notice that he will move to introduce a bill to be entitled an act to vest the election of Clerk of the market of the City of Savannah in the Mayor and Aldermen of said city.

Adjourned 'till 10 o'clock to morrow morning.

FRIDAY, 15th November, 1816.

Mr. Walker had leave to introduce a bill instant, to be entitled, an act to authorise the Trustees of the Richmond Academy, or their successors in office, to lay off a range of lots on Walker street, in the city of Augusta, and to sell, dispose of and convey the same, and for other purposes, which was read the first time.

Mr. Cullen, agreeably to notice moved for a committee to report a bill to authorise the Commissioners of the Washington county Academy, to sell a certain lot in Sandersville for the use of said Academy.

Ordered, that Messrs. Cullens, Blackshear and Fleming be that committee.

Mr. Pray, agreeably to notice moved for a committee to report a bill to tax the Marine and Fire Insurance company of the City of Savannah.

Ordered, that Messrs. Pray, Charlton and Nowlan be that committee.

Mr. Lamar, agreeably notice moved for a committee to report a bill to authorise the Commissioners of Baldwin county Academy, to sell six lots in the town of Milledgeville, for the support of said Academy.

Ordered, that Messrs. Lamar, Reed and Hatcher be that committee.

On motion of Mr. Hatcher,

*Resolved*, That Solomon Worrel and David Roland, be and they are hereby appointed Commissioners of the Court-House and Jail in the county of Wilkinson, in the place of John Ball, dec'd. and John Speight removed without the county.

Mr. Foster presented a petition from the inhabitants of the Village of Appling, which was read and referred to Messrs. Foster, Byne and Walker, a special committee to report thereon.

He also presented a petition from the inhabitants of Columbia and Warren counties, who are situated in the remote parts of said counties, praying a new county to be laid out, &c. which was read and referred to a joint committee to consist of the members of each county—and

Ordered, that Messrs. Foster, Newsome and Talbot be the committee on the part of Senate.

The Senate proceeded to the 2d reading of the following bills, to wit;

A bill to be entitled an act to pardon Agness Hogg, alias Agness Yates;

Ordered for committee of the whole.

A bill to be entitled an act to pardon Robert M'Mannis of the county of Richmond;

Ordered for committee of the whole.

The bill to be entitled an act, to repeal an act, entitled an act to revise and amend the Road laws, so



far as respects the county of Laurens, passed the 14th of December 1815 ;

Ordered for a 3d reading.

The bill to be entitled an act to alter and amend the 9th section of the 3d article of the Constitution ;

Ordered for committee of the whole.

The bill to be entitled an act to alter and change the names of certain persons therein mentioned ;

Ordered for committee of the whole.

The bill to be entitled an act to alter the 1st section of the 3d article of the Constitution ;

Ordered for committee of the whole.

The bill to be entitled an act to repeal an act to authorise John Martin Dasher to keep open and improve the navigation of Ebenezer mill creek, &c.

Ordered for committee of the whole.

The bill to be entitled an act to legalize and make valid the acts and proceedings of the Sheriffs, Clerks, and other officers belonging to the Middle Judicial circuit of this state ;

Ordered for committee of the whole.

The bill to divorce David Terry and Susannah his wife ;

Ordered for committee of the whole.

The bill to be entitled an act to restore William Wall and Andrew Guard, two persons of color, to the privilege of piloting vessels, &c.

Ordered for committee of the whole.

The bill to be entitled an act to amend the 5th section of an act for the appointment of county officers, &c.

Ordered for committee of the whole.

The bill to be entitled an act to alter and change the names of certain persons therein mentioned, was read the third time and passed.

The bill to be entitled an act to regulate the town of Marion, was read the third time and passed.

The bill to be entitled an act to incorporate Eatonton Academy, in the county of Putnam, and to invest the funds of Union Academy in said county, in the Trustees of Eatonton Academy, was read the third time and passed.

Mr. Lamar from the committee, reported a bill to be entitled an act, to authorise the Commissioners of Baldwin county Academy to sell and convey six lots in the town of Milledgeville, for the benefit of said Academy, which was read the first time.

The bill to be entitled an act, for altering the uniform of the militia officers of the state of Georgia, was taken up and read the 3d time and passed.

Mr. Cleveland from the committee, reported a bill to be entitled an act, in addition to, and amendatory of an act to regulate attachments in this state, which was read the first time.

Mr. Cullens, agreeably to notice, reported a bill to

be entitled an act to authorise the Commissioners of the Academy of Washington county, to dispose of a certain lot in the town of Sandersville, which was read the first time.

Mr. Nowlan presented a memorial from the Justices of the Inferior court of the county of Effingham, which was read and referred to Messrs. Nowlan, Charlton and Wade, a special committee to report thereon.

Mr. Charlton, agreeably to notice, reported a bill to be entitled, an act to vest the election of Clerk of the market of the city of Savannah, in the Mayor and Alderman of said city, which was read the first time.

Mr. Walker gives notice that he will on to-morrow move for a committee to be appointed to prepare and report a bill, to be entitled an act to prevent Boat owners or Patroons from permitting Boat hands or other negroes from trafficking in Corn or other produce, or from carrying the same to market, on board of the Boats accustomed to navigate the river Savannah, between Augusta and Savannah.

Mr. Montgomery notified the Senate, that he will on to-morrow move for a committee to be appointed to prepare and report a bill, to be entitled an act to amend an act, entitled an act for the limitation of actions and for preventing Suits at law, and for repealing some part thereof.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to reform the Penal Code of this state, and to adapt the same to the Penitentiary system ; Mr. Foster in the chair—Mr. President resumed the chair, and Mr. Foster reported progress and had leave to sit again.

A message from the House of Representatives by Mr. Turner, their clerk :

*Mr. President ;*

I am directed to inform the Senate, that the House of Representatives have added Mr. B. Williams to the joint committee on the State of the Republic.

They have agreed to the amendment of Senate, to the resolution for the election of the Paymaster General.

They have concurred in the resolution appointing Commissioners of the Public Buildings of Twiggs county.

They have passed a resolution appointing Notaries Public, for the county of Richmond.

They have passed a resolution appointing Commissioners to examine Ogechee river, &c.—and

They have passed the following bills, viz :

A bill supplementary to an act, to amend the several Judiciary acts, so far as relates to Justice courts.

A bill to incorporate the town of Clinton, &c.



A bill to open and keep open the Streets and Alleys in the town of Warrenton—and

A bill to amend an act to incorporate the town of Waynesboro, and for other purposes—and he withdrew.

Ordered, that the said message do lie on the table.

Adjourned 'till 10 o'clock to-morrow morning.

## SATURDAY, 16th November, 1846.

The honorable member from Pulaski county had leave to be absent until Tuesday next.

The Senate resolved itself into a committee of the whole on the bill to be entitled an act to pardon Robert M'Mannis—Mr. Byne in the chair—Mr. President resumed the chair, and Mr. Byne reported that they had made progress and had leave to sit again.

The Senate again resolved itself into a committee of the whole, on the bill to be entitled an act to regulate the duties of Health officer of the port of Savannah, and to establish his fees—Mr. Thomas Mitchel in the chair; Mr. President resumed the chair, and Mr. Mitchell reported that they had gone through the bill with amendments.

The Senate took up the amendments, which were read and agreed to.

Whereupon the said bill was read the third time and passed.

A message from the House of Representatives by Mr. Turner their Clerk:

*Mr. President;*

I am directed to inform the Senate that the House of Representatives have passed a bill for the relief of Hannah Davis—and

They have concurred in the resolution appointing a Notary Public for the county of Columbia—and

The resolution appointing a Commissioner of the Wilkinson county Academy—and he withdrew.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act to pardon Agness Hogg, alias Agness Yates—Mr. Pray in the chair; Mr. President resumed the chair, and Mr. Pray reported that they had gone through the bill without amendment.

Whereupon the said bill was read the third time and passed.

The Senate took up the following bills, which were severally read the 2d time, viz:

The bill to be entitled an act in addition to, and amendatory of an act, to regulate attachments in this state.

Ordered for committee of the whole.

The bill to authorise the Commissioners of the Washington county Academy, to dispose of a certain lot in the town of Sandersville, &c.

Ordered for third reading.

The bill to authorise the Commissioners of Baldwin county Academy, to sell and convey six lots in the town of Milledgeville, for the benefit of said Academy.

Ordered for committee of the whole.

The bill to be entitled an act to vest the election of Clerk of the market of the City of Savannah, in the Mayor and Aldermen of said city.

Ordered for 3d reading.

The bill to be entitled an act to authorise the Trustees of the Richmond Academy, or their successors in office, to lay off a range of lots on Walker street in the city of Augusta, &c.

Ordered for committee of the whole.

The Senate took up the report of the committee of the whole, on the bill to be entitled an act to provide for taking the Census of this state as required by the Constitution, and the same being amended was agreed to.

Whereupon the said bill was read the third time and passed.

A message from the House of Representatives by Mr. Turner, their Clerk.

*Mr. President;*

I am directed to inform the Senate, that the House of Representatives are now ready to receive them in the Representative chamber for the purpose of proceeding to the election of a Paymaster General of this State, six Directors of the State Bank, and two of the Planters' Bank of this State, agreeably to a joint and concurred resolution—and he withdrew.

Whereupon the Senate repaired to the Representative chamber, and being seated, proceeded by joint ballot to said elections, and on counting out the votes, it appeared that John D. Fannin was duly elected Paymaster General of this State, that William B. Bulloch, Tho's U. P. Charlton, Edward Harden, Andrew G. Semmes, Abraham B. Fannin and Jeremiah Cuyler, Esquires, were duly elected Directors of the State Bank, and that Charles Harris and John Pray, Esquires, were duly elected Directors of the Planters' Bank, on the part of this State.

The Senate then returned to their chamber—and

Adjourned 'till 10 o'clock on Monday.

## MONDAY, 18th November, 1846.

Mr. Thomas Mitchell from the committee, report.

ed a bill, amendatory of an act, to authorise the Trustees of the University of this state, to sell the lands belonging to said University, &c. which was read the first time.

Mr. Hopkins presented a petition from sundry inhabitants of McIntosh county, which was read, and referred to the committee on Finance.

On motion of Mr. Hudspeth,

Ordered, that Mr. Hogg, be added to the committee on Finance.

The Senate again resolved itself into a committee of the whole, on the bill to pardon Robert M'Manis, of the county of Richmond—Mr. Newsome in the chair—Mr. President resumed the chair, and Mr. Newsome reported, that they had gone through the same without any amendment—and

The Senate took up, and agreed to the report, and the said bill, was read the third time; and on the question, shall this bill now pass? the yeas and nays being required, are yeas 18—nays 18.

Those in the affirmative, are Messrs.

Beasley,	Hardee,	T. Mitchell,
Byne,	Harris,	Pray,
Charlton,	Hogg,	Sorrells,
Cleveland,	Hopkins,	Talbot,
Foster,	Kell,	Wade, and
Hardin,	Knight,	Walker.

Those in the negative, are Messrs.

Blackshear,	Hatcher,	Montgomery,
Barke,	Henly,	Newsome,
Cullens,	Hudspeth,	Nowlan,
Early,	Lamar,	Pope,
Fleming,	Lockhart,	Swain, and
Griffin,	N. Mitchell,	Wimberly.

The votes being equal, the president decided in the negative—the said bill was therefore lost.

Mr. Hopkins from the committee reported a bill, to authorize a part of the Camden Battalion, to muster in the town of St. Mary's, which was read the first time.

Mr. Pray from the committee, reported a bill to amend an act, to establish and incorporate an Insurance company, called the Marine and Fire Insurance company of the city of Savannah, which was received and read the first time.

Mr. Thomas Mitchell gives notice that he will on to-morrow move for the appointment of a committee to prepare and report a bill, requiring the Judges of the Superior Courts in this State, to alternate in their several circuits.

On motion of Mr. Blackshear,

*Resolved*, That Thomas King, be and he is hereby appointed Vendue Master, for the town of Dublin, in the county of Laurens.

Mr. Walker agreeably to notice, moved for a committee to be appointed to report a bill, to be entitled

an act, to prevent boat hands or other negroes from trafficking, in corn or any other produce or from carrying the same to market on board of the boats; accustomed to navigate the river Savannah, between Augusta and Savannah.

Mr. Hopkins called up the Petition of the inhabitants of the Island of St. Simons.

Ordered that the said petition be referred to the committee on the state of the republic.

A message from the House of Representatives by Mr. Turner their Clerk,

*Mr. President;*

The House of Representatives have passed a bill to be entitled an act, to prohibit slaves from selling certain commodities therein mentioned—and he withdrew.

Ordered, that said message do lie on the table.

The Senate again resolved itself into a committee of the whole, on the bill, to be entitled an act, to reform the Penal Code—Mr. Talbot in the chair—Mr. President resumed the chair—and Mr. Talbot reported progress, and had leave to sit again.

Mr. Henly gives notice, that he will move for a committee to take into consideration, the Governor's communication, so far as respects the transmission to this Branch of the Legislature, the rules prevailing in the respective Circuits for the management of business in the Superior Courts in this state, with power to report by bill or otherwise.

Mr. Walker from the committee, reported a bill to be entitled an act, to prevent Boat owners or Patrons from permitting boat hands, or other negroes from trafficking in corn or other produce, or from carrying the same to market, on board of the boats accustomed to navigate the river Savannah, between Augusta and Savannah, which was read the first time.

Adjourned 'till 9 o'clock to-morrow morning.

**TUESDAY, 19th November, 1816.**

On motion of Mr. Walker,

The Journal of yesterday was re-considered so far as respects the bill, to pardon Robert M'Manis, of the county of Richmond—and

Ordered, that the said bill do lie on the table.

Mr. Nowlan from the committee, reported a bill, to be entitled an act, to authorise the Inferior court of Effingham, to levy an extra tax, to defray the expense of building a court-house, in said county.

The Senate took up the bill, to pardon Robert M'Manis, of the county of Richmond—and on the question, shall this bill now pass? it was determin-

ed in the affirmative, and the yeas and nays being required, are yeas 20—nays 15.

Those who voted in the affirmative, are messrs.

Beasley,	Harris,	Pray,
Byne,	Hogg,	Reed,
Charlton,	Hopkins,	Sorrells,
Cleveland,	Kell,	Talbot,
Foster,	Knight,	Wade and
Hardin,	T. Mitchell,	Walker.
Hardie,	N. Mitchell,	

Those who voted in the negative, are messrs.

Blackshear,	Griffin,	Newsome,
Burke,	Hatcher,	Nowlan,
Cullens,	Henly,	Pope,
Early,	Hudspeth,	Swain and
Fleming,	Montgomery,	Wimberly.

Mr. Harris agreeably to notice, moved for the appointment of a committee, to report a bill, to regulate the admission of evidence in the courts of Law and Equity in this state—

Ordered, that messrs. Harriss, Early and Charlton, be that committee.

Mr. Thomas Mitchell agreeably to notice, moved for the appointment of a committee, to report a bill, requiring the Judges of the Superior Courts in this state, to alternate in their several circuits.

Ordered, that Messrs. Mitchell, Early and Kell, be that committee.

Mr. Henly agreeably to notice, moves for the appointment of a committee, to prepare and report a bill, to be entitled an act, to take into consideration, the Governor's communication, so far as respects the transmission to this branch of the Legislature, the rules prevailing in the respective circuits, for the management of business, in the Superior Courts in this State.

Ordered, that messrs. Henly, Charlton and Montgomery, be that committee.

Mr. Wade from the joint committee, made the following report :

The joint committee, to whom was referred a petition signed by sundry persons, praying to have the line altered, dividing the counties of Burke & Scriven, are of the opinion that the prayer of the petition is unreasonable and ought not to be granted—and the same being read, was on the question agreed to—and the yeas and nays being required, are yeas 20—nays 16.

Those in the affirmative, are messrs.

Beasley,	Hardin,	T. Mitchell,
Byne,	Hardie,	Nowlan,
Charlton,	Harris,	Pray,
Cullens,	Henly,	Reed,
Early,	Hopkins,	Walker and
Fleming,	Kell,	Wimberly.
Foster,	Knight,	

Those in the negative are, messrs.

Blackshear,	Hudspeth,	Pope,
Burk,	Lockhart,	Sorrells,
Cleveland,	N. Mitchell,	Swain,
Griffin,	Montgomery,	Talbot and
Hatcher,	Newsome,	Wade.
Hogg,		

The Senate again resolved itself into a committee of the whole, on the bill to be entitled an act to reform the Penal code—Mr. Lamar in the chair, Mr. President resumed the chair, and Mr. Lamar reported progress, and had leave to sit again.

Mr. Hudspeth from the joint committee on Finance, reported as follows :

The joint committee on finance, to whom was referred the petition of Abraham Mallet, late Sheriff of Effingham county, beg leave to report, that after examining the petition and documents accompanying the same, they are of opinion, that the prayer of the Petitioner ought to be granted ; they further beg leave, to offer the following resolution—

*Resolved*, That the sum of twenty dollars be appropriated to Abraham Mallet, late Sheriff of Effingham county, and that it be inserted in the appropriation.

The following bills were read the 2d time, and ordered for a committee of the whole, viz :

A bill, to amend an act, to establish and incorporate the Marine and Fire Insurance Company, of the City of Savannah.

A bill, to prevent boat Owners, or Patroons, from preventing boat hands, to traffick in corn, &c.

A bill, to amend an act, to authorise the Trustees of the University of this state, to sell the lands belonging to said University—and

The bill to repeal an act, to authorise a part of the Camden battalion, to muster in the town of St. Mary's, was read the 2d time—and

Ordered for a third reading.

The following bills were severally read the third time and passed, to wit ;

A bill to authorise the commissioners of the Academy of Washington county, to dispose of a certain lot in Sandersville.

A bill to incorporate the Milledgeville Mechanic Society.

A bill to repeal an act to amend the road laws of this State, so far as respects the county of Laurens—and

A bill to vest the election of Clerk of the market of the city of Savannah in the Mayor and Aldermen of said city.

A message from the House of Representatives by Mr. Turner their Clerk.

*Mr. President,*

I am directed to inform the Senate, that the House

of Representatives have passed a resolution confirming the Executive appointment of Joseph Hawthron, Esq. a Vendue master for the city of Augusta, in place of Thomas Barrell, Esq. resigned.

A bill to divorce Walker Hickman and Martha his wife, and Lucy Howard and Martin Howard, her husband—and

A bill to divorce Polly Martin and Joseph John Martin, her husband—and he withdrew.

Ordered, that said message do lie on the table.

The Senate resolved itself into a committee of the whole, on the bill to authorise John Martin Dasher to keep open and improve the navigation of Ebenezer mill creek, &c.—Mr. Hardin in the chair—Mr. President resumed the chair, and Mr. Hardin reported that they had gone through the same without any amendment.

The Senate took up the report, and on motion of Mr. Charlton to substitute in lieu thereof, a bill to authorise John Beck and his heirs to erect mills on Ebenezer mill creek, it was determined in the negative, and the yeas and nays being required, are yeas 8, nays 28.

Those in the affirmative are Messrs.

Blackshear,	Foster,	N. Mitchell, and
Burke,	Griffin,	Swain.
Charlton,	Lamar,	

Those in the negative are Messrs.

Beasly,	Henly,	Newsome,
Byne,	Hogg,	Pope,
Cleveland,	Hopkins,	Pray,
Cullens,	Hudspeth,	Sorrells,
Early,	Kell,	Talbot,
Fleming,	Knight,	Walker,
Hardin,	Lockhart,	Wade and
Hardee,	T. Mitchell,	Wimberly.
Harris,	Montgomery,	
Hatcher,	Nowlan,	

The Senate then agreed to the original report, and the said bill was read the third time, and on the question shall this bill now pass, it was determined in the negative, and the yeas and nays being required, are yeas 16—nays 20.

Those in the affirmative are Messrs.

Byne,	Hopkins,	Pray,
Fleming,	Kell,	Sorrells,
Hardin,	Knight,	Wade and
Hardee,	Newsome,	Wimberly.
Harris,	Nowlan,	
Hatcher,	Pope,	

Those in the negative are Messrs.

Beasly,	Foster,	T. Mitchell,
Blackshear,	Griffin,	N. Mitchell,
Burke,	Henly,	Montgomery,
Charlton,	Hogg,	Swain,
Cleveland,	Hudspeth,	Talbot and

Cullens,	Lamar,	Walker,
Early,	Lockhart,	

The Senate resolved itself into a committee of the whole, on the bill to authorise the Commissioners of the Baldwin county Academy, to sell and convey six lots in the town of Milledgeville, for the benefit of said Academy—Mr. Kell in the chair, Mr. President resumed the chair, and Mr. Kell reported that they had gone through the same without any amendment.

The Senate took up and agreed to the report, and the said bill was read the third time; and on the question, shall this bill now pass, it was determined in the affirmative, and the yeas and nays being required, are yeas 26—nays 11.

Those who voted in the affirmative are Messrs.

Blackshear,	Henly,	Newsome,
Charlton,	Hogg,	Nowlan,
Cullens,	Hopkins,	Pray,
Early,	Kell,	Reed,
Fleming,	Knight,	Talbot,
Foster,	Lamar,	Wade,
Hardin,	Lockhart,	Walker and
Hardee,	T. Mitchell,	Wimberly.
Harris,	N. Mitchell,	

Those in the negative are Messrs.

Beasly,	Griffin,	Pope,
Burke,	Hatcher,	Sorrells and
Byne,	Hudspeth,	Swain.
Cleveland,	Montgomery,	

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act to amend the fifth section of an act for the appointment of county officers, passed 16th February 1799—Mr. Blackshear in the chair—Mr. President resumed the chair, and Mr. Blackshear reported that they had gone through the same without any amendment.

The Senate took up the report, and the same being read was amended.

Whereupon the said bill was read the third time and passed.

The Senate again resolved itself into a committee of the whole, on the bill to be entitled an act to reform the Penal Code—Mr. Tho's Mitchell in the chair—Mr. President resumed the chair, and Mr. Mitchell reported progress and had leave to sit again.

The Senate resolved itself into a committee of the whole, on the bill to enable the Executors of the last Will and Testament of John Hardin, dec'd to carry the same into effect—Mr. Cleveland in the chair, Mr. President resumed the chair, and Mr. Cleveland reported that they had gone through the same without any amendment—and

Ordered, that the said bill do lie on the table the balance of the session.

Ordered, that the bill to amend the 9th section of the 3d article of the Constitution, lie on the table the balance of the session.

The Senate resolved itself into a committee of the whole on the bill to change the names of certain persons therein mentioned—Mr. Hopkins in the chair—Mr. President resumed the chair, and Mr. Hopkins reported that they had gone through the same without any amendment.

The Senate took up and agreed to the report, and the said bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to make valid the proceedings of the officers of the Middle Judicial district of this state—Mr. Nowlan in the chair; Mr. President resumed the chair, and Mr. Nowlan reported, that they had gone through the same without any amendment.

The Senate took up and agreed to the report, and the said bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to alter the first section of the 3d article of the Constitution of this state—Mr. Byne in the chair; Mr. President resumed the chair, and Mr. Byne reported that they had gone through the same without any amendment.

The Senate took up and agreed to the report, and the said bill was read the third time, and on the question shall this bill now pass, it was determined in the negative.

Ordered, that the bill to alter the 12th section of the first article of the Constitution of this state, do lie on the table the balance of the session.

Mr. Nowlan from the committee, reported as duly enrolled and signed by the Speaker, an act to pardon Agness Hogg, alias, Agness Yates—and

An act to pardon Robert M'Mannis of the county of Richmond, which were severally signed by the President.

Ordered, that the committee do carry said acts to His Excellency the Governor for his revision.

The bill to authorise the Trustees of the Richmond Academy to lay off and sell a range of lots in the city of Augusta, &c. was read the third time and passed.

Mr. Hogg presented a petition from Abihu Sewell, praying to be divorced from his wife which was read and referred to the committee on Divorce bills.

Mr. Foster presented a petition from the Commissioners of the town of Wrightsboro together with a counter petition signed by Pierson Petit in behalf of himself and other inhabitants of said town, which were read and referred to the committee on Petitions.

Adjourned 'till 9 o'clock to-morrow morning.

WEDNESDAY, 20th November, 1816.

On motion of Mr. Wade,

The Journal of yesterday was re-considered so far as respects the report of the committee, on the petition of sundry inhabitants of Burke county, praying to be added to the county of Scriven.

Ordered, that the same do lie on the table.

On motion of Mr. Nowlan,

The Journal of yesterday was re-considered, so far as respects the bill, to repeal an act, authorising John Martin Dasher, to keep open and improve the navigation of Ebenezer mill creek, &c.

Ordered, that the said bill do lie on the table.

On motion of Mr. Cullens,

Resolved, That, Tilman Dixon, Morgan Brown, John T. Rieves and Henry Crowell be, and they are hereby appointed Commissioners of the Academy of Washington county, in place of Jesse Jordan, George Franklin and Francis Tennell, dec'd, and John Howard, removed.

Mr. Foster from the committee, reported a bill, for the better regulation and government of the village of Appling, &c. which was read the first time.

The bill, to authorise the Inferior Court of Effingham county, to levy an extra tax, &c. was read the second time.

Ordered for a third reading.

The bill, to repeal an act, authorising a part of the Camden battalion, to muster in St. Mary's, was taken up, read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill, to amend an act, authorising the Trustees of the University of this State, to sell the Lands belonging to said University, &c.—Mr. Hardin in the chair—Mr. President resumed the chair, and Mr. Hardin reported, that they had gone through the same with an amendment.

The Senate took up and agreed to the report, whereupon, the said bill was read the third time and passed.

A message from the House of Representatives by Mr. Turner their Clerk :

*Mr. President ;*

The House of Representatives have passed a resolution, for the relief of certain Widows and Orphans—and

They have passed the following bills, to wit :

A bill, to secure the exclusive right of running a line of Stages, to Robert H. M'Rea and Richard H. Long, &c.

A bill, to vest in Esther Johnson and James Johnson, their heirs and assigns, all the property both real and personal, of which Elisha Brothers, died possessed.

A bill, to prevent the circulation of notes emitted by unchartered Banks, &c.—and

A bill, to divorce and separate John Douglass and Jane, his wife—and he withdrew.

Ordered, that the said message do lie on the table.

The Senate resolved itself into a committee of the whole, on the bill, securing to William Wall and Andrew Guarde, two persons of colour, the privilege of piloting vessels to and from the several ports of this State—Mr. Early in the chair—Mr. President resumed the chair, and Mr. Early reported, that they had gone through the same with an amendment.

Ordered, that the said report do lie on the table.

The Senate resolved itself into a committee of the whole, on the bill to vest the estates real and personal of Noel Faming, deceased, in Thomas U. P. Charlton, and his heirs—Mr. Harris in the chair—Mr. President resumed the chair, and Mr. Harris reported, that they had gone through the same without any amendment.

The Senate took up, and agreed to the report ; whereupon, the said bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill amendatory of an act, to regulate attachments in this state—Mr. Henly in the chair—Mr. President resumed the chair, and Mr. Henly reported, that they had gone through the same with an amendment.

The Senate took up the report, which was read and agreed to—

Whereupon the said bill was read the third time, and on the question, shall this bill now pass ? it was determined in the affirmative, and the yeas and nays being required, are yeas 24—nays 12.

Those in the affirmative, are Messrs.

Beasley,	Hardee,	N. Mitchell,
Burke,	Hatcher,	Newsome,
Byne,	Henly,	Pope,
Charlton,	Hogg,	Pray,
Cleveland,	Kell,	Reed,
Fleming,	Knight,	Sorrells,
Foster,	Lamar,	Swain, and
Hardin,	Lackhart,	Walker.

Those in the negative, are Messrs.

Blackshear,	Harris,	Montgomery,
Cullens,	Hopkins,	Talbot,
Early,	Hudspeth,	Wade, and
Griffin,	T. Mitchell,	Wimberly,

The Senate resolved itself into a committee of the whole, on the bill, to prevent boat hands trading in corn or other produce, &c.—Mr. Wimberly in the chair—Mr. President resumed the chair, and Mr. Wimberly reported, that they had gone through the same without any amendment.

The Senate took up and agreed to the report,

and the said bill was read the third time and passed.

Mr. Henly from the committee, reported as follows, which was agreed to, to wit :

The committee on petitions, to whom was referred, the petition of the Commissioners of the town of Wrightsboro, praying the further extension of power to the Commissioners—

The said committee have had the same under their consideration, and report that they have examined the act, incorporating the said town of Wrightsborough, and are of opinion, that it gives ample power to the Commissioners thereof, to pass such bye laws for the preservation of peace and good order within the same.

Mr. Lamar presented a petition from Lemuel Vickers, which was read and referred to a select committee, consisting of Messrs. Lamar, Henly and Hardin.

The Senate took up the several messages from the House of Representatives, and the several bills therein contained, were read the first time, except the divorce bills, which were ordered to lie on the table—and the several resolutions concurred in, except the resolution for the relief of certain Widows and Orphans, which was ordered to lie on the table.

Mr. Harris from the committee, reported a bill, to be entitled an act, to regulate the admission of evidence, in Courts of Law and Equity, in certain cases, which was read the first time.

The Senate again resolved itself into a committee of the whole, on the bill, to be entitled an act, to reform the Penal Code—Mr. Talbot in the chair—Mr. President resumed the chair, and Mr. Talbot reported progress, and had leave to sit again.

Mr. Knight from the committee, reported a bill, to be entitled an act, to compel persons not residing in the counties of Glynn, Camden and Wayne, owning or claiming lands in either of the said counties, surveyed prior to the year 1800, to have the said lands re-surveyed, and mark out their lines anew, within two years after the passing of this act, which was received and read the first time.

Adjourned 'till 10 o'clock to morrow morning.

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THURSDAY, 21st November, 1846.

On motion of Mr. Walker,

Mr. Lockhart had leave of absence 'till next Monday week.

Mr. Tho's Mitchell from the committee, reported a bill to require the Judges of the Superior courts of the several circuits of this state, to alternate in their said circuits, which was read the first time.



On motion of Mr. Wimberly,  
*Resolved*, That Moses Wheate be, and he is hereby appointed a commissioner of the Public buildings of Twiggs county, in place of James M'Cormick, resigned.

On motion of Mr. Byne,  
 Ordered, that the report of the committee on the petition of part of the inhabitants of Burke county, to be added to Scriven, do lie on the table the balance of the session.

On motion of Mr. Hardee,  
*Resolved*, That William Bailie be, and he is hereby appointed a Commissioner of Camden county Academy, in place of William Scott, deceased.

The Senate again resolved itself into a committee of the whole, on the bill to be entitled an act, to reform the Penal Code—Mr. Talbot in the chair; Mr. President resumed the chair, and Mr. Talbot reported that they have gone through the bill with amendments.

The Senate took up the report by sections.

On motion,  
 That the 38th and 39th sections in the words following, be stricken out of said bill, to wit:—"Adultery is the violation of the sanctity of the marriage bed.

"Adultery shall be punished by solitary imprisonment in the Penitentiary for a term not less than one year, nor longer than three years, and upon a second conviction, by imprisonment at hard labor in the Penitentiary, for any time not less than three years, nor longer than five years"—and on the question to agree to the same, it was determined in the affirmative, and the yeas and nays being required, are yeas 22—nays 12.

Those in the affirmative, are Messrs.

Beasley,	Harris,	Newsome,
Byne,	Hatcher,	Pray,
Cleveland,	Henly,	Swain,
Cullens,	Hogg,	Wade,
Fleming,	Knight,	Walker and
Foster,	Lamar,	Wimberly.
Hardin,	Lockhart,	
Hardee,	T. Mitchell,	

Those in the negative, are Messrs.

Blackshear,	Griffin,	Pope,
Burke,	Hudspeth,	Reed,
Charlton,	Kell,	Sorrells, and
Early,	Montgomery,	Talbot.

Ordered, that the further progress in the said bill be postponed for the present.

Ordered, that the member from Washington county, and the member from Twiggs county, have leave of absence until Monday 12 o'clock.

A message from the House of Representatives, by Mr. Turner their Clerk.

*Mr. President;*

The House of Representatives have passed a bill to vest the interest of this state to certain property therein named, in the heirs of Adam Ross, deceased.

A bill to amend an act to incorporate a Bank to be called the Bank of the State of Georgia—and

A bill to authorise the Inferior court of Burke county, to cause the records of said county to be transcribed.

They have passed a resolution appointing Notaries Public for the county of Camden.

One appointing a Notary Public for the town of Dublin.

One authorising and requiring the Justices of the Inferior courts of the several counties of this state to ascertain the circumstances of the families of those who lost their lives in the late war, &c.—and

One appointing a joint committee to examine into the state of the funds of Franklin College—and he withdrew.

Ordered, that the said message do lie on the table.  
 Adjourned 'till 9 o'clock to-morrow morning.

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FRIDAY, 22d November, 1816.

Mr. Hudspeth from the committee of Finance, to whom was referred the petition of Jeremiah Sparks, reported, to wit;

The joint committee on Finance, to whom was referred the petition and accompanying documents of Jeremiah Sparks, Tax Collector of Morgan county, beg leave to submit the following report;

That they have taken the same into consideration and are of opinion, that his case is such an one as requires legislative interference, and therefore recommend the following resolution:

*Resolved*, That his Excellency the Governor be, and he is hereby authorised and required to stay all proceedings against the said Jeremiah Sparks, Tax Collector of Morgan county for the year 1815, so far as relates to the balance of tax due the state for said year, upon his, the said Sparks, giving bond with two good securities for the said balance, to be approved by the Inferior court of said county, or a majority of them, payable at the expiration of two years, not bearing interest till due, and that the Comptroller General be directed not to charge him interest until the expiration of two years—and the same being read, was

Ordered to lie on the table.

Mr. Hardin from the committee, reported a bill to



define the South boundary of M'Intosh county, which was read, and

Ordered to lie on the table the balance of the session

The Senate took up the message from the House of Representatives, laid on the table yesterday, and the several bills were read the first time, and the resolutions concurred in—and

A committee consisting of Messrs. Hudspeth, Early, Charlton, Montgomery and T. Mitchell, added on the part of Senate, to the resolution of the House of Representatives, to examine into the state of the funds of Franklin College.

The Senate resolved itself into a committee of the whole on the bill to amend an act to establish and incorporate an Insurance company, called the Marine and Fire company of the city of Savannah, passed 16th December 1815—Mr. Lamar in the chair; Mr. President resumed the chair, and Mr. Lamar reported that they had gone through the same without amendment.

Ordered, that the report do lie on the table.

Mr. Hogg presented a petition from sundry citizens of the county of Greene, which was read and referred to the members of the counties of Greene and Morgan.

The Senate again took up the report of the committee of the whole, on the bill to reform the Penal Code.

On motion of Mr. Foster,

That the 70th section of said bill be amended by inserting the following proviso;

*“Provided Nevertheless, That nothing contained in this and the preceding sections, shall be so construed as to operate against Executors, Administrators, Guardians or copartners;”* and on the question to agree, it was determined in the negative, and the yeas and nays being required, are yeas 11, and nays 21.

Those in the affirmative are Messrs.

Blackshear,	Harris,	Sorrells,
Byne,	Hatcher,	Swain and
Charlton,	Hogg,	Wade.
Foster,	Newsome,	

Those in the negative are Messrs.

Beasley,	Hardee,	N. Mitchell,
Burke,	Henly,	Montgomery,
Cleveland,	Hopkins,	Pope,
Early,	Hudspeth,	Pray,
Fleming,	Kell,	Reed,
Griffin,	Lamar,	Talbot and
Hardin,	T. Mitchell,	Walker.

The said report was then agreed to, with sundry amendments, and the said bill was read the third time and passed.

A message from the House of Representatives, by Mr. Turner, their clerk :

*Mr. President ;*

The House of Representatives have passed the following bills ;

A bill, to divorce Polly Royston and John Royston her husband.

A bill, to divorce Patience Patterson and John Patterson, her husband.

A bill, to be entitled an act, to alter and amend an act, entitled an act, to keep open the main channel of Broad river, and for other purposes therein named.

A bill, to appoint Trustees for Twiggs county Academy.

A bill, to authorise James Rousseau, to build a bridge over the Oconee river.

A bill, to be entitled an act, to alter and amend the Estray laws, now in force in this state—and

A bill, to amend an act, to keep open, remove and prevent obstructions in Savannah river—and he withdrew.

Ordered, that the said message do lie on the table.

The President of Senate, had leave of absence 'till Monday next, 12 o'clock—and Mr. Talbot was appointed President *pro-tem*.

On motion of Mr. Foster,

*Resolved*, That the Secretary be directed to inform the House of Representatives, that the Senate has appointed the Hon. Mathew Talbot, President *pro-tem*. until the return of the President.

Adjourned 'till 10 o'clock to-morrow morning.

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SATURDAY, 23d November, 1816.

*Resolved*, That the honorable William Byne have leave of absence for a few days.

The Senate took up the report of the committee on the petition of Jeremiah Sparks, and the same being again read, was agreed to.

Mr. Henly from the committee on petitions, reported, to wit :

The committee on petitions, to whom was referred the petition of George Paris, praying the Legislature to request the Governor to commission two persons in the said petition named, as Magistrates to act as such in that unlocated part of the Indian Territory, within the chartered limits of this state, adjacent to the counties of Franklin, Jackson and Clark, the committee report that there is no power in the Executive to commission any person as a magistrate, until an election had taken place in the district where the person intended to be commissioned resides, and that district laid out and organized as

pointed out by the Constitution and laws of this state, which was read and agreed to.

Mr. Hardin from the committee reported a bill to authorise the Secretary of State to record the signatures of several Governors of this state, on the registry of Grants, and to make legal the copies of the same, which was read the first time.

Mr. Hardin presented a petition from A. D. Sanders, which was read and referred to a committee consisting of messrs. Hardin, Montgomery, Hudspeth, Foster, Early, Blackshear and Lamar, to report thereon.

The following bills were taken up and severally read the 2d time.

The bill to vest in Esther Johnson and James Johnson, their heirs and assigns, the property, both real and personal, of which Elisha Brothers died possessed.

Ordered for committee of the whole.

The bill, to prevent the circulation of notes emitted by unchartered banks, &c.

Ordered for committee of the whole.

The bill to be entitled an act to secure to Robert H. M'Rac and Richard H. Long, the exclusive right of running a line of Stages, &c.

Ordered for committee of the whole.

The bill to prohibit slaves from trading in certain commodities, &c.

Ordered for committee of the whole.

The bill, entitled an act, supplementary to an act, entitled an act to amend the several Judiciary acts, &c.

Ordered for committee of the whole.

The bill to incorporate the town of Clinton.

Ordered for a third reading.

The bill to amend an act to incorporate the town of Waynesborough.

Ordered for committee of the whole.

The bill for the relief of Hannah Davis.

Ordered for committee of the whole.

The bill to regulate the admission of evidence in courts of law and equity in certain cases.

Ordered for committee of the whole.

The bill to open and keep open the Streets and Alleys in the town of Warrenton.

Ordered for committee of the whole.

The bill requiring the judges to alternate in their several circuits.

Ordered for committee of the whole.

The bill to be entitled an act to compel persons not resident in the counties of Camden, Glynn, and Wayne, owning land in either of said counties, surveyed prior to the year 1800, to have the said lands re-surveyed.

Ordered for committee of the whole.

The bill to amend an act to incorporate a Bank, to be called the Bank of the State of Georgia.

Ordered for committee of the whole.

The bill to be entitled an act to authorise the Justices of the Inferior court of Burke county, to cause the records of the court of Ordinary to be fairly transcribed.

Ordered for committee of the whole.

The bill to be entitled an act to vest the interest of this state to certain property therein named, in the heirs of Adam Ross.

Ordered for committee of the whole.

And the bill to appoint Commissioners for the better regulation and government of the village of Appling.

Ordered for committee of the whole.

The bill, to be entitled an act, to authorise the Justices of the Inferior court of Effingham county, to levy an extra tax, for the purpose of defraying the expence of building a court-house in said county, and to authorise them to sell and dispose of a decayed brick building, in the town of Ebenezer, was taken up, read the third time, and passed.

The Senate took up the report, on the bill, to be entitled an act, to authorise Wm. Wall and Andrew Guarde, to pilot vessels, and the same being read, was agreed to—and on the question, shall this bill lie on the table the balance of the session? it was determined in the negative—and the yeas and nays being required, are yeas 14—nays 16.

Those in the affirmative are Messrs.

Blackshear,	Harris,	Reed,
Burke,	Hatcher,	Sorrells,
Cleveland,	Knight,	Swain and
Foster,	N. Mitchell,	Wade.
Griffin,	Newsome,	

Those in the negative are Messrs.

Beasley,	Healy,	T. Mitchell,
Charlton,	Hogg,	Montgomery,
Early,	Hopkins,	Pope,
Fleming,	Hudspeth,	Pray, and
Hardin,	Lamar,	Walker.
Hardee,		

The bill was then read the third time—and on the question, shall this bill now pass? it was determined the negative—and the yeas and nays being required, are yeas 14—nays 16.

Those in the affirmative are Messrs.

Charlton,	Henly,	Montgomery,
Early,	Hudspeth,	Pope,
Fleming,	Kell,	Pray, and
Hardin,	Lamar,	Walker.
Hardee,	T. Mitchell,	

Those in the negative are Messrs.

Beasley,	Harris,	Newsome,
Blackshear,	Hatcher,	Reed,

Barke,	Hogg,	Sorrells,
Cleveland,	Knight,	Swain and
Boyer,	N. Mitchell,	Wade.
Gibbs,		

The Senate took up the report of the committee, on the bill to be entitled an act, to amend an act, to establish and incorporate the Marine and Fire Insurance Company—and the same being amended, was agreed to—

Whereupon, the said bill was read the third time and passed, under the title of an act, to repeal the 5th section of an act, passed the 16th Dec'r, 1815, entitled an act to establish and incorporate an Insurance Company, called the Marine and Fire Insurance Company of the City of Savannah.

A message from the House of Representatives by Mr. Turner, their clerk :

*Mr. President ;*

The House of Representatives have concurred in the resolution appointing Moses Wheat, a Commissioner of the public buildings of Twiggs county.

In the resolution appointing Thomas B. Rutherford, a Notary Public, for the county of Washington.

In the resolution appointing Solomon Worrell and David Roland, Commissioners of the Wilkinson county Academy.

In the resolution appointing Thomas King; Vendue-Master, of the town of Dublin.

In the resolution appointing Tilman Dixon, Morgan Brown, John T. Rieves and Henry Crowell, commissioners of the Academy of Washington county.

In the resolution appointing William Bailie, a Trustee of Camden county Academy.

They have concurred in the appointment of a committee, on the petition of the Inhabitants of Warren and Columbia, and have appointed a committee on their part.

They have passed the bill from Senate, to incorporate the town of Irwinton, in the county of Wilkinson—and

The bill from Senate, to change the names of John W. Samuel, and Thomas Y. Myrick.

They have passed a bill, for the relief of Thomas Wood.

A bill, to repeal an act, respecting Vendue-Masters, so far as the same respects and limits the number of Vendue-Masters for the City of Augusta.

A bill, to amend an act, regulating the granting of Certioraries and Injunctions in this state.

A bill, to incorporate the town of Darien.

A bill, to secure to Daniel Hotchkiss, the right of running a line of Stages, between Savannah and Milledgeville.

A bill, to authorise Russel Goodrich, and others, to open a road, &c.—and he withdrew.

Ordered, that the message do lie on the table.

Mr. Walker from the joint military committee, reported a bill, to be entitled an act, to amend the several military laws of this State, which was read the first time.

The Senate took up the message from the House of Representatives, of yesterday, and the several bills were read the first time.

Ordered, that the Hon. Francis Hopkins, from the county of M'Intosh, and the Hon. John Kell, of Liberty county, have leave of absence for the remainder of the session.

Adjourned 'till 10 o'clock Monday morning.

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MONDAY, 25th November, 1816.

The Senate re-considered the minutes of Saturday so far as respects the bill to be entitled an act to authorise William Wall and Andrew Guarde to pilot vessels—and

Ordered that the bill do lie on the table.

Mr. Hudspeth from the joint committee on Finance, reported.

The joint committee on Finance to whom was referred the Treasurer's Abstract, have examined the same and compared it with the books of the Treasury, and find them to agree. They are happy in stating that the conduct of this department entirely meets their approbation, which was read and agreed to.

Mr. Fleming notified the Senate that he will on to-morrow move for the appointment of a committee to prepare and report a bill to authorise the Judge of the Superior court of the Middle circuit to hold an extra session of the Superior court in the county of Jefferson.

Mr. Early presented a petition from the inhabitants of the town of Greensborough which was read and referred to a special committee.

Ordered, that Messrs Early, Walker and T. Mitchell, be that committee.

The following bills were severally taken up and read the 2d time—and

Ordered for committee of the whole.

The bill to be entitled an act to authorise James Rousseau to build a bridge over the Oconee river.

The bill to be entitled an act to alter and amend an act, entitled an act to keep open the main channel of Broad river, and for other purposes therein named.

The bill to be entitled an act to appoint Trustees for Twiggs county Academy, and to incorporate the same.

The bill to be entitled an act to alter and amend the several Estray laws now in force in this state.

The bill to be entitled an act, making provision for organizing, assembling and disciplining a certain portion of the militia of the state of Georgia—and

The bill to amend the militia laws of this state.

The bill to be entitled an act to incorporate the town of Clinton in the county of Jones, and for the appointment of commissioners for the better regulation and government of said town, was taken up and read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act to vest in Esther Johnson and James Johnson, their heirs and assigns, all the property, both real and personal of which Elisha Brothers, died, possessed—mr. Charlton in the chair; mr. President resumed the chair, and mr. Charlton reported that they had gone through the bill without amendment.

Whereupon the said bill was read the third time, and on the question shall this bill now pass? it was determined in the affirmative, and the yeas and nays being required, are yeas 27—nays 2.

Those in the affirmative are Messrs.

Beasley,	Hardin,	Montgomery,
Blackshear,	Hardee,	Newsome,
Burk,	Hatcher,	Pope,
Charlton,	Hogg,	Pray,
Cleveland,	Hudspeth,	Reed,
Early,	Knight,	Sorrells,
Fleming,	Lamar,	Swain,
Foster,	T. Mitchell,	Wade and
Griffin,	N. Mitchell,	Walker.

Those in the negative are, messrs.

Harris and Henly.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act to amend an act to incorporate a Bank to be called the Bank of the State of Georgia—mr. Hudspeth in the chair; mr. President resumed the chair, and mr. Hudspeth reported progress and had leave to sit again.

The Senate resolved itself into a committee of the whole, on the bill to secure to Robert H. M'Rea and Richard H. Long, the exclusive right and privilege of running a line of Stage carriages from Augusta to Athens—mr. Pray in the chair; mr. President resumed the chair, and mr. Pray reported that they had gone through the bill without any amendment.

The said bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to amend the several Judiciary acts so far as relates to Justices courts—mr. T. Mitchell in the chair; mr. President resumed the

chair, and mr. Mitchell reported that they had gone through the bill without amendment.

Ordered, that the report do lie on the table.

The Senate resolved itself into a committee of the whole, on the bill for the relief of Hannah Davis, widow of Thomas Davis, deceased—mr. Foster in the chair; mr. President resumed the chair, and mr. Foster reported that they had gone through the bill without amendment.

Whereupon the said bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act to prohibit slaves from selling certain commodities therein mentioned—mr. Blackshear in the chair—mr. President resumed the chair, and mr. Blackshear reported that they had gone through the bill with amendments.

The Senate took up the report, which was amended and agreed to.

Whereupon the said bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to regulate the admission of evidence in courts of law and equity in certain cases—mr. Hardee in the chair; mr. President resumed the chair, and Mr. Hardee reported that they had gone through the bill without amendment.

Ordered, that the report do lie on the table.

The Senate resolved itself into a committee of the whole, on the bill, to be entitled an act, to compel persons, not residents in the counties of Camden, Glynn and Wayne, owning land in either of said counties, run prior to the year 1800, to come forward and re-survey their lands—Mr. Cleveland in the chair—mr. President resumed the chair, and Mr. Cleveland reported progress, and had leave to sit again.

The Senate resolved itself into a committee of the whole, on the bill to vest the interest of this state, to certain property therein named, in the heirs of Adam Ross, late of Greene county, deceased—mr. Newsome in the chair—mr. President resumed the chair, and mr. Newsome reported, that they had gone through the bill without amendment.

The said bill was read the third time, and passed.

The Senate resolved itself into a committee of the whole on the bill, appointing Commissioners for the Village of Appling—Mr. Walker in the chair—mr. President resumed the chair, and mr. Walker reported, that they had gone through the same without amendment—

Whereupon, the said bill was read the third time, and passed.

Mr. Walker presented a petition from a person of colour, called and known by the name of Cæsar

Kennedy ; which was read and referred to a special committee.

Ordered, that Messrs. Walker, Foster and Hudspeth, be that committee.

The Senate resolved itself into a committee of the whole, on the bill to divorce Thomas Jones and Nancy his wife—Mr. T. Mitchell in the chair—Mr. President resumed the chair, and Mr. Mitchell reported, that they had gone through the bill without amendment—

Whereupon, the said bill was read the third time, and on the question, shall this bill now pass? it was determined in the affirmative, and the yeas and nays being required, are yeas 23—nays 4.

Those in the affirmative are Messrs.

Beasley,	Henly,	Pope,
Charlton,	Hogg,	Pray,
Cleveland,	Hudspeth,	Reed,
Early,	Knight,	Sorrells,
Fleming,	T. Mitchell,	Swain,
Hardin,	N. Mitchell,	Wade and
Hardee,	Montgomery,	Walker.
Harris,	Newsome,	

Those in the negative are Messrs.

Blackshear,	Foster, and
Burke,	Griffin.

Mr. Harris agreeably to notice, reported a bill, to be entitled an act, to appoint Commissioners for the improvement of the navigation of the Ocmulgee river, which was read the first time.

Mr. Charlton from the committee, to whom was referred, the petition of the Executors of John Gibbons, reported, which was read—and

Ordered to lie on the table.

Adjourned 'till 10 o'clock to-morrow morning.

## TUESDAY, 26th November, 1816.

The President of Senate, having returned, took his seat.

Mr. Hudspeth presented a petition from sundry Militia Officers, which being read was referred to the Military Committee, on the part of Senate.

A message from the House of Representatives by Mr. Turner, their Clerk :

*Mr. President :*

The House of Representatives have passed a resolution, appointing Elias Fort, a Notary Public for the City of Savannah.

A resolution for the relief of Stephen W. Moore, of the county of Camden.

They have had before them the petition from Jackson county, for the removal of the site of the

Public Buildings in said county, and have referred the same to the joint members of the counties of Jackson, Franklin and Madison.

And they have referred a petition from some of the inhabitants of the county of Burke, to the joint members of the counties of Burke and Jefferson—and he withdrew.

Ordered, that the said message do lie on the table.

Mr. Montgomery reported a bill, to be entitled an act, to amend an act, entitled an act, for the limitation of actions and for avoiding suits at law, which was read the first time.

Agreeably to notice, Mr. Fleming moved for a committee, to report a bill, to authorise the Judge of the Superior Courts of the middle Circuit, to hold an extra session of the Superior court, in the county of Jefferson.

Ordered, that Messrs. Fleming, Byne and Walker be that committee.

Mr. Lamar called up the report of the committee to whom was referred the petition of Lemuel Vickers, in the words following :

That the committee are of opinion the prayer of the petitioner is reasonable and ought to be granted.

Therefore, they respectfully submit the following resolution :

*Resolved,* That the Commissioners of the town of Milledgeville be, and they are hereby authorised to lease, free of rent, twenty acres of cleared lands on the Common of said town for the term of three years, to Lemuel Vickers. The land at the expiration of said term to be left with a good enclosure or lawful fence—and the said report being read, was agreed to.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act to carry into effect the Penal Code of this state, and the Penitentiary system, founded thereon—Mr. Foster in the chair ; Mr. President resumed the chair, and Mr. Foster reported that they had gone through the same with amendments.

Ordered, that the said report do lie on the table.

Mr. Newsome from the committee of enrolment, reported as duly enrolled and signed by the Speaker of the House of Representatives, an act to divorce and separate Nancy Jones and Thomas Jones, her husband—which was presented to and signed by the President of Senate.

Ordered, that the committee of enrolment do carry said act to His Excellency the Governor, for his revision.

Adjourned 'till 10 o'clock to-morrow morning.

## WEDNESDAY, 27th November, 1816.

On motion of Mr. Hudspeth,

*Resolved*, That a committee be appointed to join such committee as may be appointed by the House of Representatives to call on the Commissioners of the Penitentiary Edifice, to know what progress has been made in said building, during the present year, and that said Commissioners make their report to both branches of the Legislature forthwith ;

*Ordered*, that Messrs. Hudspeth, Early and Talbot, be the committee on the part of Senate.

The Senate took up the report of the committee of the whole, on the bill to be entitled an act to regulate the admission of evidence in the courts of law and equity of this state in certain cases, and the same being read was amended and agreed to.

Whereupon, the said bill was read the third time and passed.

Mr. Hogg presented a petition from Edward Pate, which was read and referred to a special committee.

*Ordered*, that Messrs. Hogg, T. Mitchell and Early be that committee.

Mr. Walker reported a bill, to be entitled an act to emancipate a negro slave named Cæsar, commonly called Cæsar Kenedy, and to carry into effect the last Will and Testament of William Kenedy, late of Richmond county, deceased ; which was received and read the first time.

Mr. Fleming reported a bill to be entitled an act to authorise the Judge of the Superior courts of the Middle circuit, to hold an extra session in the county of Jefferson ; which was read the first time.

Mr. Charlton had leave to report a bill to be entitled an act to incorporate the Steam-Boat Company of the State of Georgia ; which was read the first time.

The bill to be entitled an act to appoint Commissioners for the improvement of the navigation of the Ocmulgee river, and for other purposes, was read the second time, and

*Ordered* for committee of the whole.

The Senate resolved itself into a committee of the whole, on the bill to authorise James Rousseau to build a Bridge over the Oconee river at or near his Ferry, on the main road leading from Milledgeville to Augusta and Savannah—mr. Montgomery in the chair ; mr. President resumed the chair, and mr. Montgomery reported that they had gone through the bill without amendment.

The Senate agreed to the report and the said bill was read the third time and passed.

The bill to be entitled an act, to amend an act, entitled an act for limitation of actions and for avoiding suits at law, was read the 2d time—and

*Ordered* for committee of the whole.

The bill to be entitled an act to appoint Trustees for Twiggs county Academy and to incorporate the

same and for other purposes, was taken up and read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act to amend an act, entitled an act to incorporate the town of Waynesborough, in the county of Burke, and to vest certain powers in the Commissioners thereof—mr. Pray in the chair ; mr. President resumed the chair, and mr. Pray reported that they have gone through the bill without amendment.

Whereupon the said bill was read the third time and passed.

Mr. Newsom from the committee to contract for printing the Laws and Journals of the present session, reported the following resolution :

*Resolved*, That Seaton and Fleming Grantland have the Public Printing of the Laws and Journals of this state, for the political year 1816, at the same price and on the same conditions as for the preceding year—which was read and agreed to.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act to amend the several Estray laws in force in this state—mr. Blackshear in the chair ; mr. President resumed the chair, and mr. Blackshear reported that they had gone through the same without amendment.

Whereupon, the said bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act to amend the Militia laws of this state so far as respects the grade of Field Officers, and to adapt the same to the law of Congress—mr. T. Mitchell in the chair ; mr. President resumed the chair, and mr. Mitchell reported that they had disagreed to the bill.

*Ordered*, that the report do lie on the table.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, requiring the Judges of the Superior courts to alternate in their respective circuits—mr. Talbot in the chair ; mr. President resumed the chair, and mr. Talbot reported progress, and that they have leave to sit again in June next.

The Senate took up the report, and on the question to agree to the same, it was determined in the affirmative, and the yeas and nays being required, are yeas 20—nays 12.

Those in the affirmative, are Messrs.

Beasley,	Hatcher,	Reed,
Blackshear,	Henly,	Sorrells,
Burke,	Hogg,	Swain,
Callens,	Knight,	Wade,
Fleming,	Lamar,	Walker and
Foster,	N. Mitchell,	Wimberly.
Griffin,	Pope,	



Those in the negative, are Messrs.

Charlton,	Hardee,	Montgomery,
Cleveland,	Harris,	Newsom,
Early,	Hudspeth,	Pray and
Hardin,	T. Mitchell,	Talbot.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to alter and amend an act, entitled an act to keep open the main channel of Broad river, passed on the 13th December, 1809—Mr. Lamar in the chair; Mr. President resumed the chair, and Mr. Lamar reported that they had gone through the same with an amendment.

The Senate took up the amendment and the same was agreed to.

Whereupon, the said bill was read the third time and passed as amended.

The Senate again took up the bill to be entitled an act to restore William Wall and Andrew Guarde, two persons of color, to the privilege of piloting vessels in the several ports of this state, and on the question, shall this bill now pass? it was determined in the affirmative, and the yeas and nays being required are, yeas 19—nays 11.

Those in the affirmative, are messrs.

Blackshear,	Hardee,	N. Mitchell,
Charlton,	Henly,	Montgomery,
Cullens,	Hudspeth,	Pope,
Early,	Knight,	Reed,
Fleming,	Lamar,	Talbot and
Hardin,	T. Mitchell,	Walker.

Those in the negative, are messrs.

Beasley,	Griffin,	Sorrells,
Burke,	Harris,	Swain and
Cleveland,	Hogg,	Wimberly.
Foster,	Newsome,	

The Senate took up the report of the committee of the whole, on the bill to be entitled an act supplementary to an act, entitled an act, to amend the several Judiciary acts now in force in this state, so far as relates to Justices courts, passed the 14th day of December, 1811, and the same being read, was

Ordered to lie on the table.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to amend an act, to incorporate a Bank to be called the Bank of the State of Georgia—Mr. Newsome in the chair; Mr. President resumed the chair, and Mr. Newsome reported that they had gone through the bill with an amendment.

The Senate took up the amendment, which was amended and the report agreed to.

Whereupon, the said bill was read the third time and passed.

A message from the House of Representatives by Mr. Turner their Clerk,

*Mr. President;*

The House of Representatives have passed sundry bills on divorces—and he withdrew.

The Senate took up the several messages from the House of Representatives, and the said several bills were read the first time—and

The resolutions therein were concurred in, except the resolution requiring a petition from part of Burke to be referred to the members of Burke and Jefferson counties, which was

Ordered to lie on the table.

A message from the House of Representatives by Mr. Turner their Clerk:

*Mr. President;*

The House of Representatives have passed a resolution that the Legislature will proceed on to-morrow, to the election of an Elector for President and Vice President of the United States, in place of Charles Harris, Esq. who declines attending for that purpose—and he withdrew.

The Senate took up the resolution, and the same being read, was concurred in.

Mr. Newsome from the committee of enrolment, reported as duly enroled,

An act entitled an act to vest in Esther Johnson and James Johnson, their heirs and assigns, all the property, both real and personal, of which one Elisha Brothers, deceased, late of Warren county, died possessed.

Which was presented to, and signed by the President of Senate.

Ordered, that the committee do carry said act to His Excellency the Governor for his revision.

A message from the His Excellency the Governor by Mr. Heath his Secretary;

*Mr. President,*

I am directed by His Excellency the Governor, to notify this branch of the Legislature, that he has approved and signed three resolutions which originated in this house.

One appointing a Notary Public for the county of Columbia.

One appointing Commissioners of the Public Buildings in the county of Twiggs—and

One appointing a Commissioner of the Academy of the county of Wilkinson.

I am directed also to lay before Senate a Communication, inclosing the resignation of the Honorable Charles Harris, an elector for President and Vice President of the United States—and he withdrew.

Ordered, that the message do lie on the table.

Adjourned 'till 10 o'clock to-morrow morning.



THURSDAY, 28th November, 1816.

The Senate re-considered the Journal of yesterday, so far as respects the bill, requiring the Judges of the Superior Courts to alternate.

Ordered that the said bill do lie on the table.

Mr. Newsome from the committee of enrolment, reported as duly enrolled, & signed by the Speaker of the House of Representatives, the following acts :

An act, to incorporate Eatonton Academy, in the county of Putnam, and to invest the funds of Union Academy in said county, in the Trustees of Eatonton Academy.

An act, to incorporate the Milledgeville Mechanic Society.

An act, to incorporate the town of Irwinton, in the county of Wilkinson.

An act, to alter and change the names of John W. Samuel and Thomas Y. Myrick, to that of John W. Samuel and Thomas Y. Berry—which were severally signed by the President of Senate.

A message from the House of Representatives by Mr. Turner their Clerk:

*Mr. President ;*

The House of Representatives have passed a bill, to impose an additional tax on Pedlars and other Itinerant traders.

Mr. Early notified the Senate, that he will on to-morrow move for the appointment of a committee, to prepare and report a bill, amendatory of the several acts relating to the town of Greensborough.

Mr. Cullens notified the Senate, that he will on to-morrow, move for the appointment of a committee to prepare and report a bill, admitting bills of sale and other conveyances of personal property, to record, and authorising copies thereof to be admitted as evidences in certain cases.

On motion of Mr. Hogg,

*Be it resolved by the Senate and House of Representatives, in General Assembly met, That the sums herein specified, be, and the same shall hereafter be severally paid to each widow, who now resides within the limits of this state, and whose husband lost his life in the service of this state, or that of the United States, during the last war between the United States and Great Britain.*

To a widow having no children, ten dollars per annum.

To a widow having one, and not more than three children, fifteen dollars per annum.

To a widow having four, and not more than six children, twenty dollars per annum.

And all over six children, thirty dollars per annum.

*And be it further resolved; That the Justices of*

the Inferior Court in each county in this state, or a majority of them, on application made by such widow, and sufficient proof being made, that she is the widow of such deceased husband, and also, of the number of children she has living, it shall be the duty of said Justices, to certify the same to His Excellency the Governor.

*And be it further resolved,* that he is hereby authorised, on receiving such certificate, to direct the Treasurer to pay to such widow, or her legal representative, the sum above pointed out; *Provided,* such widow, has not received any emolument from this State or the United States.

Which being read, was ordered to lie on the table.

On motion of Mr. Newsome,

*Resolved,* That the honorable member from Tannall, have leave of absence for a few days.

Mr. Foster from the committee, to whom was referred the petition of sundry inhabitants of Columbia and Warren counties, praying a new county to be laid out, reported, that they have had the same under consideration, and after mature deliberation, are of opinion, that it would be more advisable to postpone the consideration of it, until the next session of the Legislature, in order that the wishes of the citizens of the two counties, may be more completely ascertained on this important subject—which being read, was agreed to.

Mr. Beasley presented the petition of William Stroud—which being read, was referred to the committee on Finance.

Mr. Hardin from the committee on the State of the Republic, to whom was referred the Governor's Communication to the General Assembly, on the subject of the Oconee Navigation, reported, that they have examined the minutes of the Oconee Association, and the account current of the expenditures and receipts of the last year. The committee deem it advisable, to recommend the appropriation of a sum sufficient to pay the instalments, upon the shares of the State Bank, purchased by the Oconee Association, provided, the same are made inalienable by the said Company, and placed at the disposition of the General Assembly, whenever it may be deemed necessary to resume the same or to convert it to other purposes, and that the additional sum of six hundred dollars, be appropriated to the said Oconee Association, for the purchase of a negro man, to replace the one unfortunately drowned—

Which being read, was ordered to lie on the table.

Mr. Foster called up the resolution, on the petition of Alexander Telfair and John P. Williamson, qualified Executors of John Gibbons, deceased;

which was read, amended, and agreed to, in the words following:

The committee, to whom was referred the petition of Alexander Telfair and John P. Williamson qualified Executors of John Gibbons, deceased, praying the General Assembly of this state, to pass a law for the manumission of all the slaves, which the said John Gibbons was possessed of at the time of his death, pursuant to the directions of his last will and testament,

Report, that the prayer of the petition is unjust and unreasonable, and contrary to the true policy and interest of this state, and therefore ought not to be granted.

The Senate took up the report of the committee of the whole, on the bill to be entitled an act, to carry into effect the Penal Code of this state, and the Penitentiary system founded thereon—and

On motion of Mr. Charlton,

That the Senate do strike out the sum of one thousand dollars, to the Keeper of said Penitentiary, and insert the sum of *Fifteen Hundred*, and on the question to agree? it was determined in the negative; and the yeas and nays being required, are yeas 14—nays 18.

Those in the affirmative, are Messrs.

Charlton,	Hardee,	Pray,
Early,	Henly,	Talbot,
Fleming,	Hudspeth,	Wade, and
Foster,	Knight,	Walker.
Hardin,	T. Mitchell,	

Those in the negative, are Messrs.

Beasley,	Harris,	Newsome,
Blackshear,	Hatcher,	Pope,
Burke,	Hogg,	Reed,
Cleveland,	Lamar,	Sorrells,
Cullens,	N. Mitchell,	Swain, and
Griffin,	Montgomery,	Wimberly.

Whereupon, the said report was read, amended, and agreed to—and

The said bill was read the third time, and passed.

Mr. Charlton had leave to report a bill, to be entitled an act, to amend an act, entitled an act, to authorise the Justices of the Inferior courts of this state to discharge insolvent debtors confined by process from any Court of this State whatsoever—which was read the first time.

On motion of Mr. Blackshear,

Whereas in many cases, in which the State is Plaintiff, considerable difficulty has arisen, and numerous and able Counsels have been employed by the defendant.

*It is therefore resolved*, that in all cases of this description, where it may be deemed proper and necessary, the Governor is hereby requested and em-

powered, to employ additional Counsel, to assist the Attorney or Solicitor General, in prosecuting the claims of the State.

Which being read, was ordered to lie on the table.

On motion of Mr. Knight,

*Resolved*, That Joseph Crews of Wayne, be and he is hereby appointed, Notary Public, in and for the county of Wayne.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to divorce certain persons therein named—Mr. T. Mitchell in the chair—Mr. President resumed the chair; and Mr. Mitchell reported, that they had gone through the said bill with sundry amendments.

Ordered, that the report do lie on the table.

A message from the House of Representatives by Mr. Turner, their clerk:

*Mr. President;*

I am directed to inform the Senate, that the House of Representatives are ready to receive them in the Representative Chamber, to proceed to the election of Elector for President and Vice-President of the United States, in place of Charles Harris, Esq; resigned—and he withdrew.

The Senate proceeded to the Representative floor, and being seated, proceeded by joint ballot to said election—and on counting out the votes, it appeared, that Major Oliver Porter was duly elected.

They then returned to their Chamber—and

Adjourned 'till 9 o'clock to-morrow morning.

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FRIDAY, 29th November, 1816.

Mr. Cullens agreeably to notice, moved for the appointment of a committee, to prepare and report a bill, admitting bills of sale, and other conveyances of personal property to record, and authorising copies thereof to be admitted as evidences in certain cases.

Ordered, that Messrs. Cullens, Blackshear and Charlton, be that committee.

Mr. Early agreeably to notice, moved for the appointment of a committee, to prepare and report a bill, amendatory of the several acts relating to the town of Greensborough.

Ordered, that Messrs. Early, T. Mitchell and Hardee, be that committee.

On motion of Mr. Foster,

Mr. Greene, the door-keeper, had leave of absence for the ballance of the day.

Mr. Hardee called up the resolution from the House of Representatives, in favor of Stephen W.

Moore of Camden county, which being read, was concurred in.

The Senate resolved itself into a committee of the whole, on the bill, to be entitled "an act, for the trial and punishment of slaves and free people of colour"—Mr. Walker in the chair—Mr. President resumed the chair; and Mr. Walker reported progress and had leave to sit again.

Mr. Hogg called up the resolution making compensation to the widows of deceased soldiers.

Which being read, was ordered to lie on the Table.

The Senate took up the report of the committee of the whole, on the bill to divorce certain persons therein named, which being amended, was agreed to.

Whereupon the said bill was read the third time, and on the question shall this bill now pass? it was determined in the affirmative, and the yeas and nays being required, are yeas 24—nays 7.

Those in the affirmative, are Messrs.

Beasley,	Hogg,	Pray,
Charlton,	Knight,	Reed,
Cullens,	Lamar,	Sorrells,
Early,	T. Mitchell,	Swain,
Fleming,	N. Mitchell,	Talbot,
Hardee,	Montgomery,	Wade,
Harris,	Newsome,	Walker and
Henly,	Pope,	Wimberly.

Those in the negative, are Messrs.

Blackshear,	Foster,	Hatcher and
Burke,	Griffin,	Hudspeth.
Cleveland,		

The Senate took up the resolution requiring the Adjutant General to consolidate, and abbreviate the several Militia Laws of this State; which was read and concurred in.

The Senate took up the balance of the message from the House of Representatives, and the bills were severally read the first time.

They also took up the amendments made by Senate, to the bill to prohibit slaves from selling certain commodities therein mentioned—which amendments were disagreed to by the House of Representatives—and

*Resolved*, That the Senate do adhere to their amendments made to said bill.

The Senate took up the following bills, which were severally read the second time—and

Ordered for committee of the whole.

The bill, to amend an act, to keep open, remove and prevent obstructions in Savannah river.

The bill, for the relief of Thomas Wood.

The bill to amend an act, regulating the granting of Certioraries and Injunctions.

The bill to incorporate the Steam-Boat Company of this State.

The bill to establish a rate of Ferriage over the Great Satilla river, at the Old Town Bluff.

The bill to authorise the Justices of the Inferior Courts of this state, to discharge insolvent debtors, &c.

The bill to amend the several Vendue acts, now in force in this state.

The Senate took up the following bills, which were severally read the second time—and

Ordered for a third reading.

The bill to authorise the Judge of the Superior Courts of the middle circuit, to hold an extra session in the county of Jefferson.

The bill to amend an act, to incorporate the town of Hartford, in the county of Pulaski.

The bill to change the times of holding the Inferior Courts of Jasper.

The bill to secure to Daniel Hotchkiss, the right of running a line of Stages, between Savannah and Milledgeville.

The bill, to incorporate the town of Darien.

The bill to repeal an act, respecting Vendue-Masters, so far as the same restricts and limits the number of Vendue-Masters for the City of Augusta.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to compel persons, not residents of the counties of Camden, Glynn and Wayne, to come forward and re-survey their lands—Mr. Wimberly in the chair—Mr. President resumed the chair; and Mr. Wimberly reported, that they had gone through the said bill with sundry amendments.

The Senate took up the amendments, which were read and agreed to.

Whereupon, the said bill was read the third time and passed under the title of an act, to require all persons holding lands in the counties of Camden, Glynn and Wayne, to re-survey the same.

The Senate resolved itself into a committee of the whole, on the bill to prevent the circulating of notes emitted by unchartered Banks and the issuing of due bills of certain descriptions, and for other purposes—Mr. Pray in the chair—Mr. President resumed the chair; and Mr. Pray reported, that they had gone through the bill without any amendment.

Whereupon, the bill was read the third time, and on the question, shall this bill now pass? it was determined in the affirmative, and the yeas and nays being required, are yeas 23—nays 6.

Those in the affirmative are Messrs.

Beasley,	Cleveland,	Foster,
Burke,	Early,	Griffin,
Cullens,	Fleming,	Harris,

Hatcher,	Montgomery,	Swain,
Henly,	Pray,	Tabot,
Hogg,	Reed,	Walker and
Knight,	Sorrells,	Wimberly.
T. Mitchell,		

Those in the negative are Messrs.

Blackshear,	Hudspeth,	N. Mitchell and
Charlton,	Lamar,	Wade.

On motion of Mr. Wimberly,

The honorable member from Jasper, had leave of absence until Wednesday next.

The honorable member from Jones, had leave of absence until Monday next—and

The honorable member from Camden, had leave of absence after Monday next, for the ballance of the session.

Adjourned 'till 9 o'clock to-morrow morning.

### SATURDAY, 30th November, 1846.

Mr. Griffin had leave to report a bill, to be entitled an act, to authorise the Justices of the Inferior Court of Telfair county, to levy an extra tax—which was read the first time.

The bill, to be entitled an act, to impose an additional tax on Pedlars and other Itinerant traders, was read 2d time—and

Ordered for committee of the whole.

The bill, to authorise Russel Goodrich, Nicholas Byne, David Russell, Arthur H. Henly and John Lowry, to open a road, was read the 2d time—and

Ordered for third reading.

The bill, to be entitled an act, to repeal an act, entitled an act, respecting Vendue-Masters, so far as the same restricts and limits the number of Vendue-Masters for the City of Augusta; was read the third time and passed.

The bill, to change the times of holding the Inferior Courts in the county of Jasper, was read the third time and passed.

The bill, to secure to Daniel Hotchkiss, his heirs and assigns, for the term of ten years, the sole and exclusive right, of running a line of stage Carriages between the City of Savannah and the town of Milledgeville; was read the third time and passed.

The bill, to be entitled an act, to incorporate the town of Hartford, in the county of Pulaski, was read the third time and passed.

The bill to be entitled an act, to authorise the Judge of the Superior Courts, of the middle circuit to hold an extra session in the county of Jefferson, was read the third time and passed.

The bill, to be entitled an act, to incorporate the town of Darien; was read the third time and passed.

The Senate resolved itself into a committee of the

whole, on the bill, to appoint Commissioners for the improvement of the navigation of the Ocmulgee river—Mr. Charlton in the chair—Mr. President resumed the chair; and Mr. Charlton reported, that they had gone through the bill with an amendment.

Whereupon, the said bill was read the third time and passed.

The Senate took up the report of the committee of the whole, on the bill to be entitled an act, supplementary to an act, entitled an act, to amend the several Judiciary acts, now in force in this state, so far as relates to Justices Courts—passed the 14th day of December, 1844, which was read & agreed to.

Whereupon, the said bill was read the third time, and passed.

The Senate resolved itself into a committee of the whole, on the bill, to be entitled an act, to amend an act, entitled an act, for limitation of actions and for avoiding suits in law—Mr. Early in the chair—Mr. President resumed the chair; and Mr. Early reported, that they had gone through the bill without amendment.

Whereupon the said bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to authorise the Justices of the Inferior Court of the county of Burke, to cause the records of the Court of Ordinary of said county, to be fairly transcribed into bound Books, and to legalise the same—Mr. Hudspeth in the chair—Mr. President resumed the chair; and Mr. Hudspeth reported, that they had gone through the same without amendment.

Whereupon the said bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to amend an act, entitled an act, to authorise the Justices of the Inferior courts of this state, to discharge insolvent debtors confined by process from any court of this state whatsoever—Mr. Henly in the chair—Mr. President resumed the chair; and Mr. Henly reported that they had gone through said bill—and recommend the further consideration of the same do lie on the table for the ballance of the session.

Which was read, and agreed to by Senate.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act to amend an act, regulating the granting of certioraries and injunctions in this state, passed the 10th December, 1844—Mr. Wade in the chair; Mr. President resumed the chair, and Mr. Wade reported that the committee do disagree to said bill.

The Senate took up the report, which was agreed to.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act to amend

an act entitled an act to keep open, and remove and prevent obstructions in Savannah river, calculated to impede the free passage of fish, and for other purposes, passed the 10th day of December 1842—Mr. Blackshear in the chair—Mr. President resumed the chair, and Mr. Blackshear reported that they had gone through the bill with amendments.

Ordered, that the report do lie on the table.

The bill to be entitled an act to establish a rate of Ferriage over the Great Satilla river, at the old town Bluff, in Camden county, was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill for the relief of Thomas Wood—Mr. Walker in the chair; Mr. President resumed the chair, and Mr. Walker reported, that the further consideration of this bill be postponed until June next.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act to incorporate the Steam-Boat company of the State of Georgia—Mr. Lamar in the chair; Mr. President resumed the chair, and Mr. Lamar reported that the committee of the whole do disagree to said bill.

The Senate took up the report which was agreed to.

The bill to be entitled an act to amend the several Vendue acts now in force in this state, so far as to authorise the appointment of a Vendue master for the town of Greensborough, was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, making provision for organizing, assembling and disciplining a certain portion of the militia of the state of Georgia—Mr. Hudspeth in the chair; Mr. President resumed the chair, and Mr. Hudspeth reported progress and had leave to sit again.

The bill to be entitled an act to emancipate a negro slave named Cæsar was read the second time—and

Ordered for committee of the whole.

Mr. Early reported a bill, to be entitled an act amendatory of the several acts relating to the town of Greensborough, which was read the first time.

Mr. Newsom, from the committee of enrolment, reported as duly enrolled and signed by the Speaker of the House of Representatives, the following acts:

An act to alter and amend the several Estray laws now in force in this state.

An act to restore William Wall and Andrew Guarde, two persons of color, to the privilege of piloting vessels to and from the several ports in this state.

An act to appoint Trustees for Twiggs county A-

cademy, and to incorporate the same, and for other purposes.

An act to incorporate the town of Clinton in the county of Jones, and for the appointment of Commissioners for the better regulation and government of said town.

An act to authorise James Rousseau to erect a Bridge over the Oconee river, at or near his Ferry on the main road leading from Milledgeville to Augusta and Savannah—and

An act to amend the 2d section of an act, entitled an act to incorporate the town of Waynesborough, in Burke county, and to vest certain powers in the Commissioners thereof—which were presented to and severally signed by the President of Senate.

Ordered, that the committee do carry the said acts to His Excellency the Governor, for his revision.

A message from the House of Representatives, by Mr. Turner, their clerk:

*Mr. President;*

The House of Representatives have concurred in the resolution appointing Joseph Crews a Notary Public for the county of Wayne.

Also, in the resolution appointing a joint committee to call on the Commissioners of the Penitentiary Edifice, and have appointed a committee on their part—and

They have concurred in the resolution on the petition of Lemuel Vickers.

They have passed a resolution appointing Edmund Mathews, a Commissioner of Glynn county Academy—and

A resolution appointing Eben Walton, Harbor master for the town of Darien.

They have agreed to the amendment made to the act, to be called the Bank of the State Georgia.

Also, to the amendments to the act to alter and amend an act, to keep open the main channel of Broad river.

Also, an act authorising Shaler Hilyer to build a Mill-Dam across said river—and

They have passed the following bills;

A bill to incorporate the Protestant Episcopal society of Augusta.

A bill to amend an act to regulate the town of Lexington.

A bill to compel the Clerk of the Superior and Inferior courts of the county of Glynn, to keep their offices at, or within one mile of the Courthouse of said county.

A bill to alter and amend an act, for the better regulation and government of the town of Sparta.

A bill to provide for the payment of costs in certain cases therein mentioned.

A bill to amend an act to appoint Commissioners

for the better regulation and government of the town of Washington.

A bill to alter the time of holding the Superior and Inferior courts—and

A bill for the better regulation and government of the town of Powelton—and he withdrew.

The Senate took up the message and the resolutions were concurred in, and the several bills were read the first time.

The Senate took up the report of the committee of the whole on the bill to amend the Militia laws of this state, which being amended, was read the third time—and on the question, shall this bill now pass? it was determined the affirmative—and the yeas and nays being required, are yeas 15—nays 13.

Those who voted in the affirmative are Messrs.

Blackshear,	Foster,	Pray,
Charlton,	Hardee,	Talbot
Cleveland,	Hudspeth,	Wade,
Cullens,	N. Mitchell,	Walker and
Early,	Newsom,	Wimberly.

Those in the negative are Messrs.

Burke,	Henly,	Montgomery,
Fleming,	Hogg,	Sorrells and
Griffin,	Knight,	Swain.
Harris,	Lamar,	
Hatcher,	T. Mitchell,	

Mr. Foster had leave to report a bill to alter the times of holding the Superior courts in the Middle circuit of this state, which was read the first time.

Mr. Montgomery laid on the table the following resolution:

*Resolved*, That His Excellency the Governor be, and he is hereby authorised and required to appoint fit and proper persons, not exceeding to explore and examine the Territory lately ceded by the Creek Indians, to the United States, and which lies within the State of Georgia, and report the part or parts thereof, which in their opinion may be fit for cultivation, and the extent and bounds or size of each settlement or section of arable land, as near as may be—the quality or probable value of the land in each section—its contiguity to rivers and other places of notoriety, &c. &c.—and report thereon to His Excellency the Governor, in order that the same may be laid before the next General Assembly for their information.

On motion of Mr. Harris,

*Resolved*, That his Excellency the Governor be, and he is hereby authorised and required to appoint fit and proper persons, not exceeding two, to each county, for the purpose of attending all sales made by virtue of any execution in favor of the State, on account of the foreclosure of mortgages against the purchasers of Fractional surveys, and sales of fractions under execution issued by the Treasurer, and

in order to prevent fraud in any such sale, that the person or persons so appointed, be authorised to bid on behalf of the State, to such amount as they may deem a reasonable value for any fractions that may be then offered for sale—*Provided nevertheless*, That the person or persons so appointed, shall previous to bidding at any such sale, take and subscribe an oath before some Justice of the Peace or of the Inferior court, that they will bid in such manner as in their judgment, will be most advantageous to the State—which being read was

Ordered to lie on the table.

Mr. Hogg, from the joint committee on the petition of sundry inhabitants of the county of Greene, residing in the Fork of the Oconee and Appalachee rivers, praying to be added to the county of Morgan, reported; which was read—and

Ordered to lie on the table.

The Senate adjourned until Monday 10 o'clock.

MONDAY, 2d December, 1816.

On motion of Mr. Harris,

*Resolved*, That the Journal of Saturday be reconsidered so far as relates to the passage of the bill to be entitled an act to amend the several Militia laws of this state.

Whereupon, ordered that said bill do lie on the table.

Mr. Cullens from the committee appointed, reported a bill to be entitled an act to regulate evidence, so far as relates to the execution of deeds and bills of sale, which was read the first time—and

Ordered for a second reading.

Mr. Charlton from the joint committee appointed to prepare and report a Memorial and remonstrance to the President of the United States, on the subject of General Jackson's treaty with the Creek Indians, reported, which being read, was

Ordered to lie on the table.

A message from the House of Representatives by Mr. Turner, their clerk:

*Mr. President;*

The House of Representatives have passed a resolution appointing Edward F. Tamm, Harris H. Hickman and John M'Kennon, Notaries Public for the county of Chatham—and Daniel F. M'Neil, a Notary Public for the county of Richmond.

They have concurred in the resolution authorising the Adjutant General, to consolidate and abbreviate the several militia laws of this state.

And they do still disagree to the amendments made by Senate to the bill, to be entitled an act, to



prohibit slaves from selling certain commodities therein mentioned, and have requested a committee of conference thereon, and appointed Messrs. Pope, Blair, Stocks, Wellborn and Ryan, a committee on their part—and he withdrew.

The Senate took up the message and the resolution was concurred in—and

*Resolved*, That the Senate do agree to a committee of conference requested in said message, and that Messrs. Foster, Early, Henly, Hudspeth and Blackshear, be the committee on the part of Senate.

Mr. Charlton called up the report of the committee on Privileges and Elections, so far as respects the election of the Senator for the county of Bulloch, and the same being read.

On motion of Mr. Charlton,

*Resolved*, That the Hon. Samuel Lockhart, Senator from the county of Bulloch, is constitutionally qualified and entitled to his seat in Senate.

The following bills were severally taken up, read the second time—and

Ordered to a third reading, viz :

The bill to alter the times of holding the Superior courts of the Middle circuit in this state.

A bill to incorporate the Episcopal Society of Augusta, &c.

A bill to amend an act for the better regulation and government of the town of Sparta.

A bill for the better regulation and government of the town of Powelton.

A bill to compel the Clerks of Glynn county to keep their Offices at, or within one mile of the Court House.

A bill to authorise the Justices of the Inferior court of Telfair county to levy an extra tax—and

A bill amendatory of the several acts relating to the town of Greensborough.

The following bills were severally taken up and read the 2d time—and

Ordered for committee of the whole.

A bill to be entitled an act to amend an act to appoint Commissioners for the better regulation and government of the town of Washington.

A bill to amend the act to regulate the town of Lexington.

A bill to provide for the payment of costs in certain cases therein mentioned—and

A bill to alter the time of holding the Superior and Inferior courts in the county of Wilkes, and the fall term of the Superior courts of the county of Madison.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to impose an additional tax on Pedlars and other itinerant traders—Mr. Foster in the chair; Mr. President resumed

the Chair, and Mr. Foster reported that they had gone through the bill without amendment.

Whereupon, the said bill was read the third time and passed.

The bill to be entitled an act to authorise Russell Goodrich, Nicholas Byers, David Russell, Arthur H. Hanley and John Lowry, to open a Road from the head of navigable water on Tugalo river, the most direct rout to fall into the road at Samuel Thompson's, on nine mile creek, in East Tennessee, and to incorporate themselves into a company, by the name of the Unaca, or Unacoi Turnpike Company, was taken up, read the third time and passed.

The Senate took up and proceeded to reading by sections, the report of the committee of the whole, on the bill to be entitled an act, to amend an act, entitled an act to keep open, remove and prevent obstructions in the Savannah river, calculated to impede the free passage of Fish, and for other purposes, passed the 10th day of December, 1812.

On motion of Mr. Foster,

That the Senate do strike out *one* and insert *two*, in first section, line 19th—on the question to agree, it was determined in the affirmative, and the yeas and nays being required, are yeas 20—nays 7.

Those in the affirmative, are Messrs.

Blackshear,	Griffin,	Newsom;
Charlton,	Hatcher,	Nowlan;
Cleveland,	Hudspeth,	Swain,
Cullens,	Lamar,	Wade,
Early,	Lockhart,	Walker and
Fleming,	T. Mitchell,	Wimberly.
Foster,	N. Mitchell,	

Those in the negative, are Messrs.

Burk,	Knight,	Sorrells and
Henly,	Montgomery,	Talbot.
Hogg,		

The bill to be entitled an act to emancipate a negro slave, named Cæsar, commonly called Cæsar Kennedy, was taken up for a third reading.

On motion,

*Resolved*, That the further consideration of this bill be postponed until June next, and on the question to agree? it was determined in the affirmative; and the yeas and nays being required, are yeas 10—nays 12.

Those in the affirmative, are Messrs.

Burke,	Hogg,	Montgomery,
Cleveland,	Hudspeth,	Newsome,
Cullens,	Knight,	Sorrells,
Griffin,	Lamar,	Swain, and
Hatcher,	N. Mitchell,	Wimberly.

Those in the negative, are Messrs.

Blackshear,	Foster,	Pray,
Charlton,	Henly,	Talbot,



Early, T. Mitchell, Wade, and  
Fleming, Nowlan, Walker.

The Senate again resolved itself into a committee of the whole, on the bill making provision for organizing and disciplining a certain portion of the militia of the state of Georgia—Mr. Lamar in the chair; Mr. President resumed the chair, and Mr. Lamar reported progress and had leave to sit again.

On motion of Mr. Lockhart,

*Resolved*, That James Tilman, Shepherd Williams, Joshua Hodges, Robert Donalson and George M'Call be, and they are hereby appointed Commissioners for the Court-House and Jail in Bulloch county, in place of others removed and resigned—and

*Resolved*, That Brice Simmons be, and he is hereby appointed Notary Public for the county of Bulloch and town of Statesborough.

A message from His Excellency the Governor by his Secretary Mr. Heath;

*Mr. President*,

I am directed by His Excellency the Governor, to notify this branch of the Legislature, that he has approved and signed six resolutions which originated in this house.

The substance of which is as follows, viz:

One appointing a Commissioner of Camden county Academy.

One appointing a Commissioner of the Public Buildings in the county of Twiggs.

One appointing Commissioners of the Court-House and Jail in the county of Wilkinson.

One appointing a Notary Public for the county of Washington.

One appointing Commissioners of the Academy of Washington county.

One appointing a Vendue master for the town of Dublin, in the county of Laurens.

Mr. Hogg called up the report of the committee on the petition of part of the Inhabitants of the county of Greene, and the same being read was agreed to in the words following:

The joint committee to whom was referred the petition of sundry inhabitants of the county of Greene, residing in the Fork of the Oconee and Appalachee rivers, praying to be added to the county of Morgan, have performed the duty assigned them.

Your committee are of opinion, that to grant the prayer of the petitioners, would be impolitic, as it would tend completely to disorganize the county of Greene.

Adjourned 'till 10 o'clock to-morrow morning.

**TUESDAY, 3d December, 1816.**

The Senate proceeded to re-consider the minutes of yesterday, so far as respects the resolution in favor of the member of the Senate from Bulloch county—and

*Resolved*, That the said resolution do lie on the table.

They also re-considered the minutes so far as respects the bill to manumit a person of color, known by the name of Cæsar—and

Ordered, that said bill do lie on the table.

Mr. Hogg called up the resolution making compensation to Widows of deceased soldiery, which was read—and

Ordered to lie on the table.

Mr. Walker from the Military committee, reported.

The committee having taken into consideration the petition of sundry officers, praying an alteration of the uniform of the militia officers, are of opinion that the intention of the prayer of the petitioners has been anticipated, and a bill is now in progress for that purpose.

The bill to be entitled an act for the better regulation and government of the town of Powelton, in the county of Hancock, was taken up, read the third time and passed.

The bill to be entitled an act to alter the times of holding the Superior courts of the Middle circuit in this state, was taken up, read the third time and passed.

The bill to incorporate the Protestant Episcopal Society of Augusta and county of Richmond, and to authorise the Trustees of Richmond Academy to convey a lot of land in the city of Augusta, to the said Protestant Episcopal Society, was taken up, read the third time and passed.

The bill to be entitled an act to alter and amend an act, entitled an act, for the better regulation and government of the town of Sparta, in the county of Hancock, was taken up, read the third time and passed.

The bill to be entitled an act, amendatory of the several acts relating to the town of Greensborough, was read the third time and passed.

The bill entitled an act to authorise the Justices of the Inferior court of Telfair county, to levy an extra tax, was read the third time and passed.

The bill to be entitled an act to compel the Clerk of the Superior and Inferior courts of the county of Glynn, to keep their offices at, or within one mile of the Court House of said county, was taken up and read the third time, and on the question shall this bill now pass? it was determined in the negative.

The bill to be entitled an act to regulate evidence

so far as it relates to the execution of deeds and bill of sale, was read the second time—and

Ordered for committee of the whole.

A message from the House of Representatives, by Mr. Turner their Clerk.

*Mr. President;*

The House of Representatives have passed the following resolutions :

A resolution authorising His Excellency the Governor, to designate such room or rooms in the State House, as he may think proper for transacting the business of the Branch Bank at Milledgeville—

And a resolution appointing certain persons therein named, to ascertain the centre of the county of Jackson, and to report thereon, to the Inferior Court of said county ; to which they desire concurrence—and he withdrew.

Ordered, that said message do lie on the table.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to alter the time of holding the Superior and Inferior courts in the county of Wilkes, and the fall term of the Superior courts in the county of Madison—Mr. Walker in the chair—Mr. President resumed the chair, and Mr. Walker reported, that they had gone thro' the same without amendment.

Ordered that the report do lie on the table.

The Senate resolved itself into a committee of the whole, on the bill to provide for the payment of costs in certain cases therein mentioned—Mr. T. Mitchell in the chair—Mr. President resumed the chair, and Mr. Mitchell reported that they had gone through the same without amendment.

Whereupon, the said bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to amend an act, entitled an act to regulate the town of Lexington—passed on the 24th day of November, 1806—and an act, to amend the same, passed on the 27th November, 1807, and for other purposes—Mr. Newsom in the chair—Mr. President resumed the chair, and Mr. Newsom reported, that they had gone through the bill with amendments.

The Senate took up the amendments, which were read and agreed to.

Whereupon, the said bill was read the third time and passed.

The bill to be entitled an act, to repeal an act, to authorise John Martin Dasher, to keep open and improve the navigation of Ebenezer mill creek, and to erect mills thereon, and to prevent persons from placing obstructions as to prevent the free use of the navigation of the same was taken up, read the 3d time

and on the question, shall this bill now pass? it was determined in the affirmative, and the yeas and nays being required are, yeas 14—nays 12.

Those in the affirmative are Messrs.

Burke,	Knigt,	Pope,
Byne,	Lockhart,	Sorrells,
Fleming,	Newsome,	Walker and
Harris,	Nowlan,	Wimberly.
Hudspeth,		

Those in the negative are Messrs.

Blackshear,	Foster,	N. Mitchell,
Charlton,	Griffin,	Reed,
Cleveland,	Heuly,	Swain, and
Cullens,	T. Mitchell,	Talbot.

The bill to be entitled an act, to amend the militia laws of this state, so far as respects the grade of Field Officers, and to adapt the same to the law of Congress, was taken up—and

*Resolved*, that this bill be re-committed to a committee of the whole.

The Senate took up the bill, to be entitled an act making provision for organizing, assembling and discipling a certain portion of the militia of the State of Georgia—and

On motion of Mr. Charlton,

*Resolved*, That the further consideration of this bill, be postponed until the next meeting of the General Assembly.

Mr. Charlton had leave to report a bill, to be entitled an act, to legalise the proceedings of the Superior and Inferior Courts of the Eastern District, of this State, and to render valid the acts of the Public Officers of the same, which was read the 1st time.

On motion of Mr. Fleming,

*Resolved*, That Alexander Merriwether be, and he is hereby appointed a Commissioner of the Louisville Academy, in place of Major John Berrien, deceased.

Mr. Blackshear presented a petition of a few of the inhabitants of Emanuel county, which was read and referred to a special committee.

Ordered that messrs. Blackshear, Swain and N. Mitchell, be that committee.

Mr. Harris called up the following resolution, which being read and amended was agreed to.

*Resolved*, That his Excellency the Governor be, and he is hereby authorized and required to appoint fit and proper persons, not exceeding two to each county, for the purpose of attending all sales made by virtue of any execution in favor of the State, on account of the foreclosure of mortgages against the purchasers of fractional surveys, & sales of fractions under executions issued by the Treasurer—and in order to prevent fraud in any such sale, that the person or persons so appointed, be authorised to bid

on behalf of the State, to such amount as they may deem a reasonable value for any fractions that may be then offered for sale; *Provided nevertheless*, that the person or persons so appointed shall previous to bidding at any such sale, take and subscribe an oath before some Justice of the Peace or of the Inferior Court, that they will bid in such manner as in their judgement will be most advantageous to the state; and that the person so appointed have the liberty of directing the issuing any such execution, and levying on any such land lying within their respective counties.

Mr. Henly laid on the table, the following resolution:

Whereas, it has become the practice in some of the counties in this state, of the superintending magistrates of elections, to commence counting and numbering of the votes given in between the hours designated by law, for receiving the votes, which power is not given by law:

*Be it therefore resolved, by the Senate and House of Representatives of the state of Georgia, in General Assembly met*, That it shall be the duty of the superintending magistrates at elections, to keep open all elections from the opening to the closing the same, and no vote shall be called and numbered until the hour designated by law, for closing the election shall have expired, unless by the unanimous consent of the Candidates.

Adjourned 'till 10 o'clock to morrow morning,

WEDNESDAY, 4th December, 1816.

Mr. Montgomery moved to re-consider the Journal of yesterday, so far as respects the passage of a bill, to be entitled an act, to repeal an act, to authorise John Martin Dasher, to erect mills on the Ebezer mill creek, and to improve the navigation of the same; and on the question to agree to the same, it was determined in the negative.

On motion of Mr. Nowlan,

*Resolved*, That Wm. Y. Hansell be appointed Secretary, pro-tempore, to the Senate, during the absence of Will. Robertson, their Secretary, and that the Secretary, pro tem. notify the House of Representatives thereof.

On motion of Mr. Cullens,

The honorable member from the county of Chatham, had leave of absence for the remainder of the present session, after to-morrow.

A message from the House of Representatives by Mr. Turner, their Clerk:

*Mr. President*;

The House of Representatives have passed a bill,

to be entitled an act, to alter and amend an act, entitled an act more effectually to open and keep in repair the public roads, so far as respects the county of Warren.

They have passed a resolution, appointing John Polloch, a Notary Public for the county of Scriven—and.

A resolution appointing John Hunter, Esq'r. a Commissioner of the Board of Pilotage, for the port of Darien and Sapelo river, in place of Virgil H. Vivion, Esquire, resigned; to which they desire concurrence—and he withdrew.

Ordered, that said message do lie on the table.

Mr. Hudspeth presented a report from the Commissioners of the Penitentiary Edifice, which being read, was referred to the Committee on Finance.

Mr. Foster from the committee of conference, appointed on part of Senate, on the subject matter of disagreement, between the Senate and House of Representatives, on the bill to be entitled an act to prohibit slaves from selling certain commodities therein named, reported, which being read,

Ordered that the same do lie on the table.

The Senate took up the message from the House of Representatives, and concurred in the following resolutions.

The resolution appointing certain persons therein named, to proceed to ascertain the centre of the county of Jackson, and to report to the Inferior Court of said county on the same.

The resolution appointing John Polloch, a Notary Public for the county of Scriven—and

The resolution appointing John Hunter, a Commissioner of the Board of Pilotage for the port of Darien and Sapelo river; in place of Virgil H. Vivion, Esq'r. resigned.

The bill to be entitled an act, to alter and amend an act, more effectually to keep in repair the public roads, &c. so far as respects the county of Warren, was read the first time—and

The resolution from the House of Representatives, authorising His Excellency the Governor, to designate such room or rooms in the State House, as he may think proper, for transacting the business of the Branch Bank at Milledgeville, was taken up, read—and

Ordered to lie on the table.

A message from His Excellency the Governor by Mr. Heath, his Secretary:

*Mr. President*;

I am directed by His Excellency the Governor, to inform this branch of the Legislature, that he has assented to, and signed two laws, which are as follow:

An act, to incorporate the town of Irwinton, in the county of Wilkinson—and

An act, to alter and change the names of John W. Samuel, and Thomas Y. Myrick, to that of John W. Samuel, and Thomas Y. Berry, and has directed me to return them to this House, it being the branch of the Legislature in which they originated; and he withdrew.

Ordered, that the committee carry the said bills, to the Secretary of State's Office, and see the Great Seal of the State, affixed respectively thereto.

Mr. Blackshear called up the report of the committee on the State of the Republic, relative to the Oconee Navigation, which was read, together with the accompanying documents, and debate being had thereon,

On motion of Mr. Early,

The Senate adjourned until half after twelve o'clock, this day, in order that the Electors of President and Vice-President of the United States, may have the use of the Senate Chamber, in order to give in their votes.

*Half past 12 o'clock, P. M.*

The honorable Electors of President and Vice President of the United States, having retired—

The Senate, resumed its sitting, and took up the report of the committee on the State of the Republic, on the subject of the Oconee Navigation, and the report being amended was agreed to, and is as follows :

The committee on the State of the Republic, to whom was referred the Governor's communication to the General Assembly, upon the subject of the Oconee Navigation, report, that they have examined the minutes of the Oconee Association, and the account current of the expenditures and receipts of the last year. The committee deem it advisable to recommend the appropriation of a sum sufficient to pay the instalments, upon the shares in the State Bank, purchased by the Oconee Association, provided the same are made inalienable by the said Company, and placed at the disposition of the General Assembly, whenever it may be deemed necessary to resume the same, and to convert it to the improvement of the navigation of other rivers; and that the additional sum of six hundred dollars, be appropriated to the said Oconee Association, for the purchase of a negro man, to replace the one unfortunately drowned—and the yeas and nays being required, are yeas 22—nays 7.

Those who voted in the affirmative, are messrs.

Beasley,	Byne,	Early,
Blackshear,	Charlton,	Foster,
Burke,	Cleveland,	Hatcher,

M

Henly,  
Hogg,  
Hudspeth,  
Knight,  
Lamar,

T. Mitchell,  
N. Mitchell,  
Montgomery,  
Reed,

Sorrells,  
Talbot,  
Wade and  
Walker.

Those in the negative, are messrs.

Fleming,  
Griffin,  
Harris,

Lockhart,  
Pope,

Swain and  
Wimberly.

Mr. Charlton called up the memorial and remonstrance to the President of the United States, which is as follows :

*Milledgeville, Georgia, }  
2d December, 1816. }*

*To His Excellency,*

THE PRESIDENT OF THE UNITED STATES :

The memorial and remonstrance of the Senate and House of Representatives of the State of Georgia, in General Assembly met.

Your memorialists, beg leave to address His Excellency the President of the United States, and to lay before him their views on a subject highly interesting to the people of this State, and entitled to the serious attention of the national government. This subject, to which your memorialists respectfully solicit the attention of your Excellency, is the stipulation in the articles of agreement and cession entered into on the 24th of April, 1802, between the Commissioners of Georgia, and Commissioners of the United States, in which the United States have pledged themselves, to extinguish the Indian title, to all lands within the limits of Georgia.

The Citizens of Georgia, satisfied with this stipulation of the compact, and reposing great confidence in the disposition of the General Government to fulfil every engagement of the United States, and particularly this, flattered themselves with the hope, that the treaty of General Jackson, would have obtained a further cession of territory, and established a line with a much greater respect for the interest of Georgia, than that treaty has evinced.

No crisis ever presented such prospects of an advantageous extinguishment of Indian title as the period of the Treaty referred to. A severe chastisement had been inflicted on the Creeks—their power was broken—their arrogance subdued; and it only became necessary under these circumstances, to have demanded and obtained an accession to such terms, as the United States, looking to their compact with Georgia, might have thought proper to have dictated. These circumstances were not permitted however to have their appropriate weight of influence, and therefore the citizens of Georgia have found themselves mortified and disappointed in all

the expectations they had formed of the results of this treaty. In adverting to the boundaries of the treaty, it will be readily perceived, that the two great objects which should always have been in view—an extension of settlement and security of frontier, have been greatly, if not totally neglected.

Your Memorialists, referring to the most approved maps of the Creek nation, think these facts clearly established—That the course from the Chatahoochie, running due East, “to a point which shall intersect the line now dividing the lands claimed by the Creek nation from those claimed by the state of Georgia,” will throw the rivers Ocmulgee and Altamaha on the left, and will strike the Georgia line a short distance, or not far below the Fort formerly called “Fort-James,” and consequently leave the Indian title unextinguished to the narrow but important slip of land for the whole distance along and between the line and the river Ocmulgee.

Now it appears to your Memorialists, and after proper consideration your Excellency must be convinced, that Georgia has derived little or no advantage from the establishment of this line; for leaving out of view the sterile and unprofitable territory acquired, it can scarcely be expected, that our citizens, or emigrants from any section of the United States would occupy a territory, having on one side the Spanish line, and the Indians between them and the settlements in Georgia. Such would be their situation according to the line established in the treaty of General Jackson.

Your Memorialists beg leave further to represent as a just ground of complaint, that according to the treaty concluded by General Jackson, all the Territory left for the use of the Creek nation of Indians, lies either within the limits of Georgia, or stretches along its western boundary. The consequence of this state of things must be obvious.

The government of the United States will now find it extremely difficult to obtain a further extinguishment of Indian title, in the very quarter where by positive compact they were most bound to obtain it, and have by their own act rendered a compliance with their solemn engagement to Georgia, distant and precarious.

Your Memorialists believing that in this Treaty the interests of Georgia have been abandoned, or at least overlooked, and that she can now or at any other period rightfully claim of the United States a more satisfactory compliance with the stipulation of their compact, do, for and in behalf of the citizens of Georgia, protest and remonstrate against said treaty, so far as it relates to extinguishment of Indian title within the limits of said state; and do further, for and in behalf of the citizens of said state request, that measures may be taken as speedily as

circumstances will permit, to procure an additional cession of territory, and extinguishment of Indian title, conformably to the stipulation contained in the said articles of agreement and cession; entered into between the commissioners of Georgia and of the United States—which being read, was agreed to.

The Senate proceeded to take up the bills in order.

The bill to be entitled an act, to legalize the proceedings of the Superior and Inferior Courts of the Eastern District of this State and to render valid the acts of the Public Officers of the same, was read the second time—and

Ordered for committee of the whole.

The Senate resolved itself into a committee of the whole, on the bill, to be entitled an act, to amend an act, to appoint commissioners for the better regulation & government of the town of Washington, and for incorporating the same, passed the 7th day of Dec'r. 1805—and for other purposes therein mentioned—Mr Early in the chair—Mr. President resumed the chair, and Mr. Early reported, that they had gone through the same with an amendment.

The Senate took up the report, and agreed thereto.

Whereupon, the bill was read the third time and passed under the title thereof.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to regulate evidence, so far as it relates to the execution of deeds and bills of sale—Mr. Cleveland in the chair—Mr. President resumed the chair; and Mr. Cleveland reported, that they had gone through the same with amendments.

Ordered, that the report do lie on the table.

On motion of Mr. Early.

*Resolved by the Senate and House of Representatives of the State of Georgia, in General Assembly met,* That His Excellency the Governor be, and he is hereby authorised and requested to adopt such measures, as he may deem most expedient in conjunction with the Executive Government of the United States, for ascertaining, running and marking the boundary line, between this State and the Mississippi Territory, which was read and agreed to.

The order of commitment being dispensed with, the Senate took up the bill, to be entitled an act, to emancipate a negro slave, named Cæsar, commonly called Cæsar Kennedy, and to carry into effect the last will and testament of Wm. Kennedy, late of Richmond county, dec'd.—which was read the third time, and on the question shall this bill now pass? it was determined in the negative, and the yeas and nays being required, are yeas 12—nays 19.

Those who voted in the affirmative are Messrs. Burke, Charlton, Fleming,

Foster,	T. Mitchell,	Talbot,
Henly,	Nowlan,	Wade and
Lockhart,	Pope,	Walker.

Those in the negative, are Messrs.

Beasley,	Hatcher,	Newsome,
Blackshear,	Hogg,	Reed,
Byne,	Hudspeth,	Sorrells,
Cleveland,	Knight,	Swain and
Cullens,	Lamar,	Wimberly.
Early,	N. Mitchell,	
Griffin,	Montgomery,	

Mr. Hogg, from the committee on the petition of Edward Pate, reported the following resolution :

*Resolved*, That the sale of one half of lot No. 318, in the 4th district of Baldwin, now Morgan county, which belongs to the State, be suspended until the end of the next Legislature ; which was read and agreed to.

Adjourned 'till 10 o'clock to morrow morning.

#### THURSDAY, 5th December, 1816.

The Senate proceeded to re-consider the minutes of yesterday, on the report of the committee on the Oconee Navigation—and

Ordered, that the same do lie on the table.

On motion of Mr. Harris,

*Resolved*, That Tuttle H. Moreland and Duncan Ray be, and they are hereby appointed Notaries Public for the town of Hartford and county of Pulaski.

The bill to be entitled an act to alter and amend an act entitled an act, more effectually to open and keep in repair the public roads, &c. so far as respects the county of Warren, was taken up, read the second time—and

Ordered for committee of the whole.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act to legalize the proceedings of the Superior and Inferior courts, &c.—Mr. Byne in the chair—The President resumed the chair, and Mr. Byne reported, that they had gone through the same with amendments.

Ordered, that the report do lie on the table.

The Senate again resolved itself into a committee of the whole, on the bill to be entitled an act for the trial and punishment of slaves and free people of color—Mr. Wimberly in the chair—Mr. President resumed the chair, and Mr. Wimberly reported, that they had gone through the bill with amendments.

Ordered, that the report do lie on the table.

The Senate took up the report of the committee of the whole, on the bill to regulate evidence, as it relates to the execution of deeds and bills of sale, which was read, amended and agreed to.

Whereupon the said bill was read the third time and passed.

A message from the House of Representatives, by Mr. Turner, their clerk :

*Mr. President ;*

The House of Representatives have passed the following bills from Senate without amendments.

A bill to repeal an act to authorise a part of the Camden Battalion to muster in the town of St. Marys.

A bill to be entitled an act to amend the 5th section of an act, for the appointment of county officers, passed 16th February, 1799.

A bill to appoint Commissioners for the better regulation and government of the Village of Appling, and for incorporating the same.

A bill to be entitled an act to authorise the trustees of the Richmond Academy, or their successors in office, to lay off a range of lots on Walker street, in the city of Augusta, and to sell, dispose of and convey the same, and for other purposes.

A bill entitled an act to legalize and make valid the acts and proceedings of the Sheriffs, Clerks and other officers belonging to the Middle Judicial circuit or district of this state.

A bill to repeal the 5th section of an act to establish an Insurance Company in the city of Savannah, called the Marine and Fire Insurance company.

A bill to authorise the Justices of the Inferior court of Effingham county to levy an extra tax, &c.

A bill to authorise the commissioners of the Academy of Washington county to dispose of a certain lot in the town of Sandersville.

A bill to prevent Boat owners or Patroons from permitting boat hands or other negroes from trafficking in corn or other produce, or for carrying the same to market, &c.

A bill to alter and change the names of certain persons therein named—and

A bill to regulate the town of Marion.

They have passed the following bills, to wit :

A bill for the better regulation of the town of Monticello in the county of Jasper.

A bill to explain and amend an act entitled an act to regulate Escheats in this state, and to appoint Escheators, passed 5th December 1801.

A bill to alter and amend an act, to regulate the town of Eatonton, passed 12th December 1809.

A bill for the relief of Elisha Wright.

A bill to alter and amend an act, to alter and amend the 12th section of an act to protect the estates of Orphans, passed 16th December 1811.

A bill to be entitled an act to amend an act, entitled an act, to add that part of the unlocated Territo-



ry of this state, which lies without the limits of the present counties, to the county of Jasper, passed the 23d day of November 1811—and

A bill to be entitled an act to amend an act to regulate the elections in this state and to appoint the time of meeting of the General Assembly so far as the same requires the General elections to be held at the place of holding the Superior courts.

They have passed a resolution appointing Joshua Coffee a Commissioner of the board of pilotage for the port of Darien, and Sapelo river—and he withdrew.

The Senate took up the message and the resolution was read and concurred in, and the said bills were severally read the 1st time.

The Senate again called up the report of the committee of Privileges and elections, in the words following:

The committee on Privileges and elections report, as follows, to wit:

They having examined the certificates of the members composing Senate, find them correct, but on a view of two letters, one from James Bozeman, Comptroller General to Thomas Rawls, Esq. dated Milledgeville, 15th October, 1815, and the other from Thomas Rawls, the receiver of tax returns for the county of Bulloch of the 6th inst. directed to the Honorable the President of the Senate, which are herewith transmitted, together with two certificates from the Comptroller General, all which leads your committee to believe the sitting member from the county of Bulloch, has failed to pay his tax for the year 1813, and beg leave to submit this opinion to the Senate—and

On motion of Mr. Blackshear,

*It is therefore resolved,* That the said sitting member is not constitutionally qualified as a Senator, and cannot hold his seat; and on the question to agree to the report as amended, it was determined in the affirmative—and the yeas and nays being required, are yeas 22—nays 10.

Those in the affirmative, are Messrs.

Blackshear,	Henly,	Sorrells
Burke,	Hogg,	Swain,
Byne,	Knight,	Talbot
Cullens,	N. Mitchell,	Wade,
Early,	Montgomery,	Walker and
Fleming,	Nowlan,	Wimberly.
Griffin,	Pope,	
Hatcher,	Reed,	

Those in the negative are Messrs.

Beasley,	Harris,	T. Mitchell, and
Charlton,	Hudspeth,	Newsom.
Cleveland,	Lamar,	
Foster,	Lockhart,	

Mr. Walker had leave to report a bill to be entitled an act, to amend the act of 1814, entitled an act to authorise the collection of rents within the city of Augusta and the precincts thereof, which was read the first time.

Mr. Griffin laid on the table the following resolution.

*Resolved,* That the Senate do adjourn on Thursday next, *sine die*.

Mr. Nowlan reported as duly enrolled and signed by the Speaker of the House of Representatives, the following acts:

An act to prevent the circulation of notes emitted by unchartered banks, and the issuing of due bills of certain descriptions, and for other purposes.

An act to change the time of holding the Inferior court in the county of Jasper.

An act to incorporate the town of Darien.

An act to amend an act entitled an act to incorporate the town of Hartford in the county of Pulaski.

An act supplementary to an act, entitled an act to amend the several Judiciary acts now in force in this state, so far as relates to Justices courts, passed the 14th day of December, 1811.

An act to amend an act to incorporate a Bank to be called the Bank of the State of Georgia, passed the 16th December 1815.

An act for the relief of Hannah Davis, widow of Thomas Davis, deceased.

An act to secure to Robert M'Rea and Richard H. Long the exclusive right and privilege of running a line of Stage carriages from Augusta, via Columbia Courthouse, in Columbia county, the town of Washington in the county of Wilkes, Lexington, in the county of Oglethorpe, and to Athens in the county of Clarke, for the term of ten years.

An act to vest the interest of this state to certain property therein mentioned in the heirs of Adam Ross, late of Greene county, deceased.

An act to amend the several acts regulating Vendues in this state, so far as to authorise the appointment of a Vendue master for the town of Greensborough in the county of Greene.

An act to authorise the Justices of the Inferior court of Burke county, to cause the records of the court of Ordinary of said county, to be fairly transcribed into bound books, and to legalize the same.

An act to alter and amend an act entitled an act to keep open the main channel of Broad river, passed on the 13th December, 1809—Also, an act authorising Shaler Hilyer to build a Mill-Dam across said river, passed the 8th December, 1815.

An act to secure to Daniel Hotchkiss, his heirs and assigns, for the term of ten years, the sole and exclusive right of running a line of Stage carriages



between the city of Savannah and the town of Milledgeville.

An act for establishing a rate of Ferriage over the great Satilla river at the old town Bluff in Camden county—and

An act to repeal an act, entitled an act, respecting Vendue masters so far as restricts the same, & limits the number of vendue masters for the city of Augusta.

Which were presented to and severally signed by the President.

Ordered, that the committee of enrolment do carry said acts to His Excellency the Governor, for his revision.

On motion of Mr. Charlton,

The Messenger of Senate has leave of absence until Monday next.

Adjourned until to-morrow morning 10 o'clock.

### FRIDAY, 6th December, 1816.

Mr. Walker had leave to introduce a bill to be entitled an act to enable Daniel Hotchkiss, Reuben Taylor, Wm. Gordon and John Fryer, the present proprietors of the line of Stages, between the city of Savannah and Augusta, to give security for running the said stages for and to the end of the time which right of running the said line of stages, was granted to Lewis Calfry and John Coats—which was read the first time.

Mr. Harris had leave to introduce a bill to be entitled an act, to amend an act entitled an act to establish the scite of the public buildings in the county of Jones, and to appropriate the money arising from the sale of lots, which was read the third time.

On motion of Mr. Wade,

*Resolved*, That the Sheriff of Scriven county do pay over to the Commissioners of the Academy of said county, the amount which he has received, arising from the sale of a tract of three hundred and five acres of land, the reverted surplus of one thousand acres sold to Thomas Glascock, as is expressed in a resolution approved 23d November, 1814, which was read—and

Ordered to lie on the table.

On motion of Mr. Wimberly,

Whereas the Tax Collector of Twiggs county having been prevented by the adjournment of the court at the last term, from laying before the Grand Jury of said county, a list of insolvent debtors for taxes:

*Be it therefore resolved; by the Senate and House of Representatives of the state of Georgia, in General Assembly met, and it is resolved by the authority of the same*, That the said Tax Collector shall be, and he is hereby authorised and required to lay

before the Grand Jury of the county aforesaid, at the next term of the Superior court, the insolvent list aforesaid, and the said Tax Collector is hereby indulged until the next Superior court in said county for the purposes aforesaid; Provided he shall pay over to the Treasurer, all taxes collected by him, agreeable to law.

Ordered, that said resolution do lie on the table.

The bill to be entitled an act to amend the act of 1814, entitled an act to authorise the collection of rents, &c. was read the 2d time—and

Ordered for a third reading.

The bill to be entitled an act to alter and amend an act to regulate the town of Eatonton, passed 12th December 1809, was read the 2d time and ordered for a third reading.

The bill to be entitled an act for the better regulation of the town of Monticello, in the county of Jasper, was read the 2d time—and

Ordered for a third reading.

The following bills were taken up, read the 2d time—and

Ordered for committee of the whole.

A bill to be entitled an act to amend an act, entitled an act to add that part of the unlocated territory of this state, which lies without the limits of the present counties, to the county of Jasper, passed the 23d day of November 1814.

A bill to be entitled an act to explain and amend an act, entitled an act to regulate Escheats, &c.

A bill for the relief of Elisha Wright—and

A bill to alter and amend an act, to alter and amend the 12th section of an act to protect the estates of Orphans, passed the 16th December 1811.

The Senate took up the report of the committee of the whole, on the bill to be entitled an act for the trial and punishment of slaves and free people of color, which being read by sections, was amended and agreed to.

Whereupon the said bill was read the third time and passed.

The Senate took up the report of the committee of the whole, on the bill to be entitled an act to legalize the proceedings of the Superior and Inferior courts of the respective circuits of this state, and to render valid the acts of the public officers of the same, which being read by paragraphs, was amended and agreed to.

Whereupon, the bill was read the third time and passed.

The bill to be entitled an act to alter and amend an act, entitled an act, more effectually to open and keep in repair the public roads, &c. so far as respects the county of Warren, was read the third time and passed.

A bill to be entitled an act to amend an act, enti-

tioned an act to regulate the elections in this state, and to appoint the time of the meeting the General Assembly, so far as the same requires the general elections to be held at the place of holding the Superior courts, was read the second time—and

Ordered for committee of the whole.

The Senate took up the report of the committee of the whole, on the bill to be entitled an act to alter the time of holding the Superior and Inferior courts of the county of Wilkes, and the fall term of the Superior courts of the county of Madison, which being read by sections, was amended and the bill read the third time and passed.

Mr. Lamar presented a petition of Greene Robinson and Henry Robinson, which was read and referred to the committee on petitions.

Mr. Foster laid on the table the following resolution :

*Resolved*, That His Excellency the Governor is and shall be authorised to discharge any demand that may be made on this state, by the general government for Direct tax, in the way that may appear to him most expedient for the benefit of the community, and that an appropriation be made for the payment of the fourth Direct tax out of any money not otherwise specially appropriated.

On motion of Mr. Pope,

*Resolved*, That Maj. James Smith be, and he is hereby appointed a Notary Public for the town of Clinton and county of Jones.

Mr. Byne called up the petition of a number of the inhabitants of the counties of Burke and Jefferson, which was

Ordered to lie on the table for the remainder of the session.

The Senate took the report of the committee on the state of the Republic, on the subject of the Oconee navigation which being read,

Mr. Harris offered the following amendment :

And whereas the improvement of all our navigable water courses is of the highest importance,

*Be it further resolved*, That the sum of five thousand dollars be appropriated for the improvement of the navigation of the Ocmulgee river, to be vested in the hands of such persons as the Legislature may by law direct—and on the question to agree to the amendment, the yeas and nays being required, are yeas 15—nays 15.

Those who voted in the affirmative, are Messrs.

Blackshear,	Hogg,	Pope,
Cullens,	Knight,	Sorrells,
Griffin,	Lamar,	Swain,
Harris,	N. Mitchell,	Wade, and
Hatcher,	Newsome,	Wimberly.

Those in the negative, are Messrs.  
Beasley, Early, T. Mitchell,

Burke,	Fleming,	Montgomery,
Byne,	Foster,	Reed,
Charlton,	Henly,	Talbot, and
Cleveland,	Hudspeth,	Walker.

There being an equal number of votes, the President determined in the negative.

Whereupon the original report was read and agreed to.

On motion of Mr. Hudspeth,

*Resolved*, That William Meriwether be, and he is hereby appointed a Trustee of Meson Academy in the county of Oglethorpe, in place of George Moore resigned.

A message from the House of Representatives, by Mr. Turner their Clerk.

*Mr. President*;

The House of Representatives have passed a resolution appointing Edward Varner, a Vendue master for the town Eatonton—and

They have passed a bill from Senate to divorce certain persons therein named—and he withdrew.

The Senate took up the message and agreed to the resolution.

Mr. Lamar called up the resolution from the House of Representatives authorising his Excellency the Governor to designate such room or rooms in the State-House, as he may think proper, for transacting the business of the Branch Bank at Milledgeville, and the said resolution being read, was amended, agreed to, and is as follows ;

*Resolved*, That His Excellency the Governor be, and he is hereby authorised to designate such room or rooms in the State-House, as he may think proper, except the rooms assigned for the Senate or Representatives, or the Executive, or the Treasury, Secretary of States', Surveyor General's or Comptroller's Office, for transacting the business of the Branch Bank at Milledgeville ; and that the Directors of said Branch Bank be allowed to fit up (at the expence of the institution) such room or rooms, so as to render them safe & convenient for banking purposes.

Mr. Newsom had leave to report a bill to be entitled an act to divorce and separate Jeremiah Pittman and Delany Pittman his wife.

Adjourned 'till to-morrow morning 10 o'clock.

**SATURDAY, 7th December, 1846.**

On motion of Mr. Montgomery,

*Resolved*, That it is the opinion of the Senate, that Samuel Lockhart, the member returned from Bulloch county, whose right to a seat has been contested and decided against by Senate, shall be allowed by the committee which may be appointed for examining the members accounts, the daily pay as o-

ther members for the time he retained his seat as a member.

The bill to be entitled an act, to enable Daniel Hotchkiss, Reuben Taylor, Wm. Gordon and John Fryer, the present proprietors of the line of Stages between the City of Augusta and Savannah, to give security for running the said stages, was read the second time and ordered to a third reading.

The bill to amend an act, entitled an act, to establish the site of the Public Buildings in the county of Jones, was read the 2d time and ordered to third reading.

The bill to be entitled an act, to divorce and separate Jeremiah Pitnam and Delany his wife, was read the 2d time—and

Ordered for committee of the whole.

The bill to be entitled an act, to alter and amend an act, to regulate the town of Eatonton—passed the 12th December, 1809; was read the third time and passed.

The bill to be entitled an act for the better regulation of the town of Monticello, in the county of Jasper, was read the third time and passed.

The bill to be entitled an act to amend the act of 1814, to authorise the collection of rent, &c. was taken up for a third reading.

Ordered, that said bill be re-committed to committee of the whole.

The bill to be entitled an act to open and keep open the Streets and Alleys in the town of Warrenton, in the county of Warren and for other purposes, was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to explain and amend an act, entitled an act, to regulate Escheats in this state, and to appoint Escheators—passed 5th December, 1801—Mr. T. Mitchell in the chair—Mr. President resumed the chair, and Mr. Mitchell reported, that they had gone through the bill without amendment.

Whereupon, the bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to alter so much of an act, entitled an act, to regulate the General Elections in this state and appoint the time of the meeting of the General Assembly, so far as the same requires all General Elections to be held at the place of holding the Superior Courts—Mr. Byne in the chair—Mr. President resumed the chair, and Mr. Byne reported, that they had gone through the bill with amendments.

Ordered that the report do lie on the table.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to amend an act entitled an act, to add that part of the unlocated

territory of this state, which lies without the limits of the present counties, to the county of Jasper; passed the 23d day of November, 1814—Mr. Walker in the chair—Mr. President resumed the chair, and Mr. Walker reported that they had gone thro' said bill with amendment.

Ordered that the report do lie on the table.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to alter and amend the 12th section of an act, to protect the estates of Orphans; passed 16th December, 1811—Mr. Blackshear in the chair—Mr. President resumed the chair, and Mr. Blackshear reported progress and had leave to sit again.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, for the relief of Elisha Wright—Mr. Talbot in the chair—Mr. President resumed the chair, and Mr. Talbot reported, that they have gone through the bill without admendment.

Whereupon, the said bill was read the thrid time and passed.

A message from the House of Representatives by Mr. Turner their Clerk :

*Mr. President;*

The House of Representatives have concurred in the resolution authorising the Governor to appoint two persons to each county, for the purpose of attending and bidding at sales of fractional surveys.

In the resolution appointing James Tilman, Shepard Williams, Joshua Hodges, Robert Donaldson and George M'Call, Commissioners of the court-house and jail of Bulloch county.

In the resolution appointing Brice Simmons a Notary Public, for the county of Bulloch—and

In the resolution appointing Alexander Merriwether, a commissioner of the Louisville Academy.

And in the remonstrance of the Legislature against the treaty of Gen. Jackson, with the creek nation, with an amendment.

They have disagreed to the report of the committee of conference, on the bill to prohibit slaves from selling certain commodities therein mentioned, and have appointed a second committee of conference.

They have passed the bill from Senate, to be entitled an act to provide for taking the census of this state, as required by the constitution with amendments—and

They have passed the following bills :

A bill, to authorise the Commissioners of the town of Milledgeville, to lease to John Troutman, one acre of land.

A bill, to be entitled an act; to prevent persons from setting fire to the Woods at improper seasons of the year—and

A bill to compensate the Justices of the Inferior Courts within this State—and he withdrew.

The Senate took up the message, and concurred in a second committee of conference therein requested, and added the persons who were appointed on the first committee of conference, as a committee on their part.

They do agree to the amendments made by the House of Representatives, to the bill, to be entitled an act, to provide for taking the census—and

The several bills were read the first time.

Mr. Newsom from the committee on enrolment, reported as duly enrolled, and signed by the Speaker of the House of Representatives, the following acts:

An act to incorporate the town of Marion, in the county of Twiggs, and to vest certain powers in the commissioners thereof.

An act, to repeal an act, to authorise a part of the Camden Battalion, to muster in the town of St. Mary's.

An act, to repeal the 5th section of an act, passed the 16th December, 1815, entitled an act, to establish and incorporate an Insurance Company, called the Marine and Fire Insurance company, of the City of Savannah.

An act, to appoint commissioners for the better regulation and government of the village of Appling, and for incorporating the same.

An act, to alter and change the names of certain persons therein named.

An act, to authorise the Justices of the Inferior Court of Effingham county, to levy an extra tax, for the purpose of defraying the expence of building a court-house in said county, and to authorize them to sell and dispose of a decayed Brick-Building in the town of Ebenezer.

An act, to authorize the Trustees of the Richmond Academy, or their successors in office, to lay off a range of lots on Walker street, in the City of Augusta, and to sell, dispose of and convey the same, and for other purposes.

Which were severally received and signed by Mr. President.

Ordered, that the committee carry the same to His Excellency the Governor, for his revision.

On motion of Mr. Wade,

*Resolved*, That the Sheriff of Scriven county, do pay over to the Commissioners of the Academy of said county the amount which he has received, arising from the sale of a tract of three hundred and ten acres of land the reverted surplus of one thousand acres sold to Thomas Glascock, as is expressed in a resolution, approved 23d November, 1814.

Which was read and ordered to lie on the Table. Adjourned 'till Monday morning, 10 o'clock.

MONDAY, 9th December, 1816.

On motion of Mr. Talbot,

The Honorable member from Greene, had leave to be absent from Senate, after to-day, for the remainder of the session.

The Senate proceeded to take up the bill, to be entitled an act, to compensate the Justices of the Inferior Courts within this state, which was read the second time—and

On motion of Mr. Blackshear,

*Resolved*, That the farther consideration of this bill, be postponed until the first day of June next—and on the question to agree? it was determined in the affirmative; and the yeas and nays being required, are yeas 17—nays 13.

Those in the affirmative are Messrs.

Blackshear,	Hardin,	Newsome,
Cleveland,	Hatcher,	Sorrells,
Cullens,	Henly,	Tabot,
Fleming,	Lamar,	Walker and
Foster,	N. Mitchell,	Wimberly.
Griffin,	Montgomery,	

Those in the negative are Messrs.

Beasly,	Hogg,	Pope,
Burke,	Hudspeth,	Reed,
Byne,	Knight,	Swain, and
Early,	T. Mitchell,	Wade.
Harris,		

The following bills were taken up, read the 2d time and ordered for committee of the whole.

The bill to be entitled an act, to authorise the Commissioners of the town of Milledgeville, to lease to John Troutman, one acre of land.

The bill to be entitled an act, to prevent persons from setting fire to the Woods at improper seasons of the year—passed 16th day of December, 1811.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to amend the act of 1814, to authorise the collection of rents, &c.—Mr. Foster in the chair—Mr. President resumed the chair, and Mr. Foster reported, that they had gone through the bill with an amendment.

Ordered, that the report do lie on the table.

The bill to be entitled an act, to amend an act entitled an act to establish the Site of Public Buildings in Jones county, and appropriate the money arising from the sales of Public Lots—was read the third time and passed.

The bill to be entitled an act, to enable Daniel Hotchkiss, Reuben Taylor, William Gordon, and John Fryer, the present proprietors of the line of Stages between the city of Savannah and Augusta, to give security for running said Stages for and to the end of the time, which right of running said line of stages was granted to Lewis Calfrey and

John Coats, was taken up and read the third time and passed.

The Senate resolved itself into a committee of the whole on the bill to be entitled an act, to divorce and separate Jeremiah Pitman and Delany his wife—Mr. T. Mitchell in the chair—Mr. President resumed the chair, and Mr. Mitchell reported that they had gone through the bill with an amendment.

The Senate took up the report, and the bill was read the third time, and on the question, shall this bill now pass? Agreed thereto—the yeas and nays being required, are yeas 19—nays 9.

Those who voted in the affirmative, are Messrs.

Beasley,	Hogg,	Swain,
Cullens,	Knight,	Talbot,
Early,	T. Mitchell,	Wade,
Fleming,	N. Mitchell,	Walker and
Hardin,	Newsom,	Wimberly.
Harris,	Pope,	
Henly,	Sorrells	

Those in the negative, are Messrs.

Blackshear,	Cleveland,	Hatcher,
Burke,	Foster,	Hudspeth, and
Byne,	Griffin,	Montgomery.

There being a constitutional majority required, and the President having voted in the negative, the bill was lost.

The Senate took up the report of the committee of the whole, on the bill to be entitled an act to amend an act, entitled an act to regulate the elections in this state, and to appoint the time of the meeting of the General Assembly, so far as the same requires the general elections to be held at the place of holding the Superior courts; and the same being read, was agreed to.

Whereupon the said bill was read the third time, and on the question shall this bill now pass? it was determined in the negative, and the yeas and nays being required, are yeas 11—nays 18.

Those in the affirmative are Messrs.

Beasley,	Hatcher,	Newsome,
Burke,	Hudspeth,	Pope, and
Cleveland,	T. Mitchell,	Sorrells.
Harris,	Montgomery,	

Those in the negative, are Messrs.

Blackshear,	Griffin,	Reed,
Byne,	Hardin,	Swain,
Cullens,	Henly,	Talbot,
Early,	Hogg,	Wade,
Fleming,	Knight,	Walker and
Foster,	N. Mitchell,	Wimberly.

The Senate took up the report of the committee of the whole, on the bill to be entitled an act, to amend an act, entitled an act, to add that part of the unlocated Territory of this state, which lies without the limits of the present counties, to the county of Jas-

per, passed the 23d day of November, 1814—and the same being read, was agreed to.

Whereupon, the bill was read the third time, and on the question, shall this bill now pass? it was determined in the affirmative, and the yeas and nays being required, are yeas 24—nays 5.

Those who voted in the affirmative, are Messrs.

Beasley,	Hatcher,	Reed,
Burke,	Henly,	Sorrells,
Byne,	Hudspeth,	Swain,
Cleveland,	Knight,	Talbot.
Cullens,	T. Mitchell,	Wade,
Early,	N. Mitchell,	Walker and
Foster,	Newsome,	Wimberly.
Griffin,	Pope,	

Those in the negative are Messrs.

Blackshear,	Hardin,	Hogg.
Fleming,	Harris and	

The Senate again resolved itself into a committee of the whole, on the bill to be entitled an act, to alter and amend an act, entitled an act to alter and amend the 12th section of an act, to protect the estates of Orphans, passed the 16th December, 1811—Mr. T. Mitchell in the chair; Mr. President resumed the chair, and Mr. Mitchell reported, that they had gone through the same without amendments.

Whereupon, the said bill was read the third time and passed.

On motion of Mr. Montgomery,

*Resolved*, That the Secretary inform the House of Representatives, that the Senate will adjourn on Saturday morning next, *sine die*.

On motion of Mr. Early,

*Resolved by the Senate and House of Representatives of the State of Georgia, in General Assembly met*, That His Excellency the Governor be, and he is hereby requested, to urge the Executive government of the United States, to take the necessary measures for causing the boundary line between the U. S. and the Spanish dominions adjacent to Georgia, to be ascertained and marked.

Mr. Harris had leave to report a bill to be entitled an act, to authorise Charles Richardson Parker, to establish a Lottery; which was read the first time.

The Senate took up the report of the committee of the whole, on the bill to be entitled an act, to amend the act of 1814, entitled an act, to authorise the collection of rents within the city of Augusta and the precincts thereof, and the same being read was agreed to.

Whereupon, the said bill was read the 3d time and passed.

Mr. Foster called up the resolution authorising His Excellency the Governor to settle with the General Government, the fourth Direct Tax of this state, which being read was agreed to.

A message from the House of Representatives by A. R. Turner, their Clerk :

*Mr. President ;*

The House of Representatives have passed the following resolutions :

A resolution appointing Pierson Pettit a Notary public for the town of Wrightsborough and the county of Columbia.

A resolution appointing Thomas Hancock, William N. Harman and James Stone, Esqs. Commissioners of the town of Louisville, in the county of Jefferson, in place of Maj. John Berrien, deceased, and David Clarke and Joseph White removed—and

A resolution appropriating the sum of one hundred dollars to Joseph Nichols.

They have passed a bill to be entitled an act authorising the Justices of the Inferior court of Clarke county, to levy an extra tax, for the purpose of building and repairing the bridges of said county—and

A bill to be entitled an act, to vest the appointment of Commissioners of Academies, Vendue Masters, Notaries Public and Lumber measurers in certain persons therein mentioned—and he withdrew.

The Senate took up the message, and concurred in the resolution appointing Pierson Pettit a Notary Public for Wrightsborough and Columbia county—and

The resolution appropriating the sum of one hundred dollars to Joseph Nichols.

The resolution appointing Thomas Hancock, William N. Harmon and James Stone, Esqs. Commissioners of the town of Louisville, was read, and

Ordered to lie on the table the balance of the session.

And the several bills were read the first time.

*Resolved*, That Mr. Foster have leave to withdraw the Petition of the Commissioners of Wrightsborough in the county of Columbia, and the counter Petition of Pierson Pettit and others accompanying the same.

Adjourned 'till to-morrow morning 10 o'clock.

**TUESDAY, 10th December, 1816.**

The Senate re-considered the minutes of yesterday, so far as respects the bill to be entitled an act to separate and divorce Jeremiah Pittman and Melany his wife—and

Ordered that said bill do lie on the table.

They also proceeded to re-consider the minutes so far as respects the bill to be entitled an act to amend an act, entitled an act to regulate the elections in this

state, &c.—and on the question to agree to re-consider, it was determined in the affirmative, and the yeas and nays being required, are yeas 20—nays 8.

Those in the affirmative are Messrs.

Beasley,	Hogg,	Pope,
Burke,	Hudspeth,	Sorrells,
Cleveland,	Knight,	Swain,
Griffin,	T. Mitchell,	Talbot,
Hardin,	N. Mitchell,	Wade and
Harris,	Montgomery,	Walker.
Hatcher,	Newsom,	

Those in the negative are Messrs.

Blackshear,	Fleming,	Reed and
Byne,	Foster,	Wimberly.
Culleus,	Henly,	

The following bills were read the 2d time—and Ordered for committee of the whole.

The bill to authorise Charles Richardson Parker, to establish a Lottery ;

The bill to vest the appointment of Commissioners of Academies, Vendue masters, Notaries Public and Lumber Measurers in certain persons therein mentioned—and

The bill to be entitled an act, authorising the Justices of the Inferior court of Clark county, to levy an extra tax for the purpose of building and repairing the bridges of said county.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act to prevent persons from setting fire to the woods at improper seasons of the year, passed 16th December 1811—Mr. N. Mitchell in the chair ; Mr. President resumed the chair, and Mr. Mitchell reported, that the further consideration of this bill be postponed until June next.

The Senate took up the report, and the same being read was agreed to.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to authorise the Commissioners of the town of Milledgeville, to lease to John Troutman one acre of land—Mr. Sorrells in the chair ; Mr. President resumed the chair, and Mr. Sorrells reported that they had gone thro' the bill without amendment.

The Senate took up the report—and

On motion,

To strike out "lease to John Troutman," and insert "sell to the highest bidder"—and on the question, it was determined in the negative, and the yeas and nays being required, are yeas 13—nays 16.

Those in the affirmative are Messrs.

Beasley,	Hogg,	Reed,
Burke,	T. Mitchell,	Sorrells,
Byne,	Montgomery,	Swain and
Cleveland,	Pope,	Wimberly.
Hatcher,		



Those in the negative, are Messrs.

Blackshear,	Harris,	N. Mitchell,
Cullens,	Henly,	Newsom,
Fleming,	Hudspeth,	Talbot,
Foster,	Knight,	Wade and
Griffin,	Lamar,	Walker.
Hardin,		

On motion,

*Resolved*, That the words "to John Troutman" be stricken out, and the words "to the highest bidder" be inserted—on the question to agree? it was determined in the affirmative—and the yeas and nays being required, are yeas 20—nays 9.

Those in the affirmative, are Messrs.

Beasley,	Harris,	Newsom,
Blackshear,	Hatcher,	Pope,
Burke,	Hogg,	Reed,
Byne,	Knight,	Sorrells,
Cleveland,	T. Mitchell,	Swain and
Cullens,	N. Mitchell,	Wimberly.
Griffin,	Montgomery,	

Those in the negative are Messrs.

Fleming,	Henly,	Talbot,
Foster,	Hudspeth,	Wade and
Hardin,	Lamar,	Walker.

The report was read, amended and agreed to.

Whereupon, the said bill was read the third time and passed under the title of an act, to authorise the Commissioners of the town of Milledgeville, to lease one acre of land.

A message from the House of Representatives by Mr. Turner their clerk:

*Mr. President;*

The House of Representatives have added Mr. Duke to the committee of conference, on the bill to prohibit slaves from selling certain commodities, &c.—and he withdrew.

The Senate took up the message, and added Mr. Walker on the committee on their part.

The Senate took up the bill to be entitled an act, to amend an act, entitled an act, to regulate elections in this state, and to appoint the time of the meeting of the General Assembly, so far as the same requires the General Elections, to be held at the place of holding the Superior Courts—and on the question shall this bill now pass? the yeas and nays being required, are yeas 13—nays 13.

Those in the affirmative, are Messrs.

Burke,	Hudspeth,	Pope,
Cleveland,	T. Mitchell,	Sorrells,
Griffin,	Montgomery,	Swain and
Harris,	Newsom,	Wade.
Hatcher,		

Those in the negative are Messrs.

Blackshear,	Byne,	Cullens,
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Fleming,	Hogg,	Reed,
Foster,	Knight,	Talbot and
Hardin,	N. Mitchell,	Walker.
Henly,		

There being an equal number of votes, the President determined in the affirmative.

Mr. Newsom had leave to introduce a bill, to be entitled an act, to incorporate the Trustees of Warrenton Academy, in the county of Warren—which was read the first time.

The Senate took up the bill, to be entitled an act, to divorce and separate Jeremiah Pitman and Delany his wife—and on the question shall this bill now pass? it was determined in the affirmative & the yeas and nays being required, are yeas 20—nays 5.

Those who voted in the affirmative, are messrs.

Beasley,	Hogg,	Sorrells,
Cullens,	Knight,	Swain,
Fleming,	T. Mitchell,	Talbot,
Hardin,	N. Mitchell,	Wade,
Harris,	Newsom,	Walker and
Hatcher,	Pope,	Wimberly.
Henly,	Reed,	

Those in the negative, are messrs.

Burke,	Griffin,	Montgomery.
Byne,	Hudspeth,	and

Mr. Wade called up the resolution, authorising the Sheriff of Scriven county, to pay over to the Commissioners of the Academy of Scriven county, the amount which he has received, arising from the sale of three hundred and ten acres of land, the reverted surplus of 1000 acres, sold to Thomas Glasscock—

Which being read, was ordered to lie on the table the balance of the session.

Mr. Newsom from the committee on enrolment, reported as duly enrolled, and signed by the Speaker of the House of Representatives, the following acts:

An act, to provide for taking the census of this state as required by the constitution.

An act, to divorce certain persons therein named.

An act, to alter and amend an act, to regulate the town of Eatonton, passed 12th December 1809.

An act, for the better regulation of the town of Monticello in the county of Jasper.

An act, to legalize and make valid the acts and proceedings of the Sheriffs, Clerks and other officers belonging to the Middle Judicial circuit or district of this state.

An act, to impose an additional tax on Pedlars, and other itinerant traders.

An act, to provide for the payment of costs, in certain cases therein mentioned.



An act, to authorise the commissioners of the Academy of Washington county to dispose of a certain lot in the town of Sandersville.

An act to amend the 20th section of act, for the appointment of county officers—passed the 16th day of February, 1799.

An act, to explain and amend an act entitled an act to regulate Escheats in this state, and to appoint Escheators, passed 5th December 1801.

An act, for altering the uniform of the Militia Officers of the state of Georgia.

An act, for the better regulation and government of the town of Powelton, in the county of Hancock.

An act, to authorise Russel Goodrich, Nicholas Byers, David Russell, Arthur H. Henly and John Lowry, to open a road from the head of boatable water on Tugalo river, the most direct rout to fall in to the road at Samuel Thompson's, on Nine mile creek, in East Tennessee, and to incorporate themselves into a company by the name of the Unicoi or Unicoi Turnpike Company.

An act, to alter and amend an act, entitled an act, more effectually to open and keep in repair the public roads, causeways & bridges, in this state—passed the 16th December, 1811—and the act amendatory thereof, passed the 10th December, 1812, so far as respects the county of Warren.

An act, to prevent Boat Owners or Patroons, from permitting Boat-hands or other Negroes, from trafficking in corn or other produce, or from carrying the same to market on board of the Boats, accustomed to navigate the river Savannah, between Augusta & Savannah.

An act, to incorporate the Protestant Episcopal Society of Augusta, and county of Richmond, and to authorise the Trustees of Richmond Academy, to convey a lot of land in the City of Augusta, to the said protestant Episcopal Society.

An act, to alter and amend an act, entitled an act, for the better regulation and government of the town of Sparta, in the county of Hancock—passed on the 3d of December, 1805—and

An act, to open and keep open the streets and alleys in the town of Warrenton, in the county of Warren, and for other purposes.

Which were severally received, and signed by the President.

Ordered, that the Committee do carry the said several acts to His Excellency the Governor, for his revision.

Adjourned 'till 10 o'clock to-morrow morning.

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WEDNESDAY, 11th December, 1816.

On motion of Mr. Hatcher,

*Resolved*, That the sum of ten dollars and 2 1-2 cents be, and the same is hereby appropriated to William Wilson, it being a sum by him over paid the state, through a mistake, in the Receiver of Tax Returns, for Wilkinson county.

The bill, to be entitled an act, to incorporate the Warrenton Academy, was taken up and read the second time.

Ordered for committee of the whole.

The Senate resolved itself into a committee of the whole, on the bill, to authorise Charles Richardson Parker, to establish a Lottery—Mr. Swain in the chair—Mr. President resumed the chair, and Mr. Swain reported, that the further consideration of this bill be postponed until June next.

The Senate took up the report, which was read and agreed to.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to vest the appointment of Commissioners of Academies, Vendue-Masters, Notaries Public & Lumber Measurers in certain persons therein mentioned—Mr. Burke in the chair—Mr. President resumed the chair, and Mr. Burke reported, that they had gone through the bill without amendment.

Ordered, to lie on the table.

Mr. Hudspeth from the Committee on Finance, reported, to wit :

*Milledgeville, December 7th, 1816.*

The Joint Committee of Finance, to whom was referred two letters, dated the 22d November last, and the 3d inst. from the Commissioners of the Penitentiary Edifice, enclosing their account of monies received and expended on the building, between the 14th November, 1815, and the 11th November, 1816,

*Report*, That upon an examination of the account, which appears to be fairly stated, it is ascertained, that during the time aforesaid, \$18,129 62 1-2 cents, has been expended, and that a balance remained in the hands of Commissioners of \$4,096, 77 3-4, on the aforesaid 11th November, 1816.

That an appropriation of \$25,000, is required to complete that part of the building already begun; and a further sum of \$4000, to meet any contingent expenditures which may be incurred in the final completion of the building for use, making with the sum already appropriated of \$56,000 the sum of \$85,000.

The joint committee recommend, that the Legislature do make the appropriation of the sum of \$29,000 in conformity to the recommendation of the Commissioners, for the final completion of that part of the Penitentiary Edifice already begun.

Which was read and ordered to lie on the table.

The committee on Finance having taken up the

subject relative to the money necessary to be appropriated to meet the engagements of the State for her Shares in the State Bank, recommend that an appropriation of \$ 102,000, being the first payment of 17 per centum omitted to be put in the last year's appropriation—the further sum of 20 per centum on the second instalment, being \$ 120,000, and 23 per cent on the third instalment for \$ 138,000—this amount due and unappropriated, being \$ 360,000.

And the further sum of \$ 240,000 for the purpose of paying the balance of the subscription of the State to the Bank of the State of Georgia when called for, making in the whole, the sum of \$ 600,000.

And they further recommend an appropriation of \$ 2,200 to Adams & Duyckinck, for printing and binding Clayton's Digest of the Laws of Georgia.

And the further sum of \$ 3,000 to pay for the printing the Laws and Journals and other public printing, during the political year 1817, or so much thereof as may be necessary—which was read, and

Ordered to lie on the table.

On motion,

*Resolved*, That Messrs. Hudspeth, Foster and Blackshear, be a committee on the part of Senate, to join such as may be appointed on the part of the House of Representatives, to examine the Penitentiary Edifice and Wall around part of the same, together with the Workshops, and report to this Legislature, the situation of the said Penitentiary Edifice and its appurtenances, and what is further necessary to be done.

Mr. Foster from the committee on conference, on the bill to be entitled an act to prohibit slaves from selling certain commodities, &c. reported,

That the Senate recede and concur with the House of Representatives.

Ordered, that the report do lie on the table.

On motion of Mr. Hardin,

*Resolved*, That His Excellency the Governor be, and he is hereby authorised and requested to contract with some fit and proper person to make and hang a complete set of Venetian blinds for the windows of the Capitol of this State, and pay for the same out of the contingent fund—which being read was disagreed to.

Mr. Henly from the committee on Petitions, reported, which being read, was amended as follows, and agreed to.

The committee on Petitions, to whom was referred the Petition of Greene Robinson and Henry Robinson, stating that they had undertaken the erection of the Penitentiary Wall, for a sum less than its value, & praying an augmentation of the price of the building of the Wall. The committee report, that they are of the opinion, that the Legislature have nothing to do with the contracts of individuals.

The Senate took up the report of the committee of the whole, on the bill to be entitled an act, to vest the appointment of Commissioners of Academies, Vendue Masters, Notaries Public and Lumber measurers, in certain persons therein mentioned—which was read and agreed to, and the bill read the third time and passed.

A message from the House of Representatives by Mr. Turner their Clerk :

*Mr. President ;*

The House of Representatives have passed a resolution appointing Tho's W. Grimes, a Vendue master for the town of Greensborough.

They have passed a resolution compensating persons who attended to revise the Militia laws of this state.

They have agreed to the amendments made by Senate to the bill for the better regulation of Washington—and

In the bill to amend an act to regulate the town of Lexington—and

They agree to all the amendments made to the bill obstructing the free passage of fish, except the following :—"and particularly from the main sluice or sluices," which they disagree to—and he withdrew.

The Senate took up the message and concurred in the resolution appointing Tho's W. Grimes, Vendue master for the town of Greensborough—and

*Resolved*, That the Senate do recede from their amendment to the bill to impede the free passage of fish, disagreed to by the House.

Ordered, that the resolution compensating the members who attended to revise the Militia laws, do lie on the table.

Adjourned until to-morrow morning 10 o'clock.

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THURSDAY, 12th December, 1816.

The Senate proceeded to reconsider the minutes of yesterday, so far as respects the resolution requiring the Governor to have Venetian blinds affixed to the windows of the State House—and

Ordered, that the resolution do lie on the table.

The bill to be entitled an act to incorporate the Warrenton Academy, in the county of Warren, was read the third time and passed.

A message from the House of Representatives by Mr. Turner their Clerk ;

*Mr. President,*

The House of Representatives have passed the bill from Senate, to be entitled an act to reform the

Penal Code of this state with sundry amendments—and he withdrew.

The Senate took up the message, and

On motion,

That the Senate do agree to the amendment made by the House of Representatives to the 16th section of the seventh Division, in page the ninth, in the words following, “after the words ‘shall be punished,’ strike out the balance of the section, and insert, ‘by restitution of the goods so stolen, or the value thereof, at the time of such taking, and by imprisonment in the Penitentiary, at hard labor, or in solitude, for any time not less than one year, nor longer than 5 years, as the Jury may recommend’”—and on the question to agree to the amendment, it was determined in the affirmative, and the yeas and nays being required, are yeas 22—nays 5.

Those who voted in the affirmative, are Messrs.

Beasley,	Hatcher,	Reed,
Byne,	Hogg,	Sorrells,
Cleveland,	Hudspeth,	Swain,
Cullens,	T. Mitchell,	Talbot,
Fleming,	N. Mitchell,	Wade and
Foster,	Montgomery,	Wimberly.
Griffin,	Newsome,	
Hardin,	Pope,	

Those in the negative, are Messrs.

Blackshear,	Harris,	Walker.
Burke,	Henly and	

On the question to agree to the following clause as an amendment to said bill, in the words following, to wit:

“Any person who may be found playing at any game with cards, dice, checks, or any other instrument or article used in gambling, or at any gaming table of any description or name whatsoever, for money or property, or betting money or property on any exercise or gambling, shall be indicted, and on conviction, be fined in any sum not less than fifty dollars, nor more than five hundred dollars, at the discretion of the Jury—one half to the benefit of the informer, and the other half for the use of the county where the offence may have been committed”—it was determined in the negative; and the yeas and nays being required, are yeas 11—nays 15.

Those who voted in the affirmative are Messrs.

Beasley,	Hogg,	Sorrells,
Burke,	Montgomery,	Wade and
Byne,	Pope,	Wimberly.
Hatcher,	Reed,	

Those in the negative are Messrs.

Blackshear,	Hardin,	N. Mitchell,
Cleveland,	Harris,	Newsome,
Fleming,	Henly,	Swain,
Foster,	Hudspeth,	Talbot and
Griffin,	T. Mitchell,	Walker.

And on the question to agree to the following clause as an amendment to said bill, in the words following, to wit:

*And be it further enacted,* That it shall be lawful for any lawful officer to break open suspected rooms or houses, where it is commonly known that gaming is carried on, and to take any persons found gaming, and bind them over to the next Superior court to be held in and for the county where such offences may be committed—it was determined in the affirmative, and the yeas and nays being required, are yeas 15—nays 11.

Those who voted in the affirmative are Messrs.

Beasley,	Hatcher,	Montgomery,
Blackshear,	Henly,	Pope,
Burke,	Hogg,	Reed,
Cleveland,	T. Mitchell,	Wade and
Foster,	N. Mitchell,	Wimberly.

Those in the negative are Messrs.

Byne,	Harris,	Swain,
Fleming,	Hudspeth,	Talbot and
Griffin,	Newsom,	Walker.
Hardin,	Sorrells,	

The several amendments of the House being considered, were agreed to, except the amendment on the subject of gambling, which was disagreed to by the Senate.

Mr. Hardin had leave to report a bill to be entitled an act, to encourage a new mode of transporting merchandize on the waters of the State of Georgia, and for propeling mills and other machinery in the same, which was read the first time, and

Ordered to lie on the table the balance of the session.

The Senate took up the resolution from the House of Representatives, requesting His Excellency the Governor to pay the accounts of the members of the Military Board, appointed by the last Legislature, to revise and amend the militia laws who attended at Washington and at Milledgeville for that purpose; which was read, and

Ordered, to lie on the table the balance of the session.

Adjourned 'till to-morrow morning 10 o'clock.

FRIDAY, 13th December, 1846.

Mr. Hardin called up the resolution, requesting His Excellency the Governor, to contract for the making and hanging a complete set of venetian blinds for the windows of the Capitol of this State—which was again read and disagreed to.

On motion of Mr. Montgomery:

*Resolved,* That His Excellency the Governor be and he is hereby authorised and requested, to trans-

mit to the President of the United States, the memorial and remonstrance of the present Legislature, on the subject of the Treaty made by General Jackson, with the Creek Indians, together with his opinion and views on that subject.

And that he also, transmit a copy thereof, to each of the Senators and Representatives in Congress, with instructions to our Senators, and a request to our Representatives, to use their influence with the General Government, to obtain at as early a period as possible, an extension of settlement, by extinguishing the Indian title, to the lands on either of our frontiers—and that the application be prosecuted with energy, but with respect, & not to be discontinued, until the just and equitable demands of the state are attended to.

A message from the House of Representatives, by Mr. Turner, their clerk :

*Mr. President :*

The House of Representatives have agreed to Senate's amendments, to the following bills, to wit :

The bill, to authorise the Commissioners of the town of Milledgeville, to lease one acre of land of the town commons, to John Troutman.

To amend an act, entitled an act to add that part of the unlocated territory of this state, which lies without the limits of the present counties, to the county of Jasper, passed the 23d day of November 1814.

To alter so much of an act, entitled an act, to regulate the General elections of this State, and to appoint the time of the meeting of the General Assembly, so far as the same requires all general elections to be held at the place of holding the Superior Courts.

They have agreed to the amendments of Senate, to the resolution authorising the Governor to designate such room or rooms in the State House, as he may think proper, for transacting the business of the Branch Bank at Milledgeville.

They have agreed to the report of the second committee of conference, on the subject matter of disagreement, between the two branches of the General Assembly, relative to the bill, to prohibit slaves from selling certain commodities therein mentioned.

The House of Representatives have unanimously agreed to the following amendments to the act, to which the Governor has dissented, to prevent the circulation of notes emitted by unchartered Banks, and the issuing of due bills of certain descriptions, and for other purposes.

Sec. 4th, 3d line, after the words "Bank of the United States," strike out the word "or" and insert the word "and."

In the title, strike out the words, "and for other purposes," and insert the words, "and to compel

the chartered banks of this state, to resume specie payments, whenever the bank of the United States, and the banks of the adjacent States, shall commence specie payments, and also to require of them, to redeem their notes under five dollars, with specie or change bills issued by some one of said chartered banks," and have unanimously passed the same as amended.

They have concurred in the following resolutions from Senate.

A resolution appointing Maj. James Smith, a Notary Public for the town of Clinton and county of Jones.

The resolution appointing Tuttle H. Moreland and Duncan Ray, Notaries Public for the town of Hartford and county of Pulaski.

The resolution appointing William Merriwether a Trustee of Meson Academy, in the county of Oglethorpe.

The resolution requesting His Excellency the Governor, to urge the Executive Government of the United States, to take the necessary measures for causing the boundary line, between the United States and the Spanish dominions, adjacent to Georgia, to be ascertained and marked.

They have concurred in the report of the Committee on the State of the Republic, relative to the subject of the Oconee Navigation—and

In the report of the Committee, on the petition of Edward Pate.

They have concurred in the resolution from Senate, appointing a committee to examine the Penitentiary Edifice, and Wall around the same, together with the workshops, and report to this Legislature, and have added a committee on their part, consisting of Messrs. Stocks, Tankersly and Pope—and

They have concurred in the resolution authorising His Excellency the Governor, to discharge the 4th Direct Tax, with an amendment.

They have passed the following resolutions, to wit :

A resolution appointing Samuel Rockwell, a Notary Public, for the City of Savannah, and County of Chatham.

A resolution appointing Anthony Dyer, a Trustee for the Monticello Academy, in the county of Jasper—and

A resolution appointing Paul McCormick a Notary Public, for the town of Irwinton, in the county of Wilkinson, in room of Ransom Worrell, removed.

They have passed the following bills from Senate with amendments :

A bill, to authorise the Commissioners of Baldwin county Academy, to sell and convey six lots,

in the town of Milledgeville, for the benefit of said Academy.

The bill to be entitled an act, in addition to and amendatory of an act, to regulate attachments in this State—and

The bill, entitled an act, to alter and change the names of certain persons therein mentioned.

The bill to be entitled an act, to legalise the proceedings of the Superior and Inferior Courts of the respective counties in this state, and to render valid the acts of the public officers of the same—and

The bill to be entitled an act, to regulate the admeasurement and inspection of Lumber, Staves, Shingles, and for other purposes therein mentioned, they have passed without amendment.

They have passed the following bills, which originated in the House of Representatives :

A bill, to be entitled an act, to compel Clerks of the Inferior courts of this state, to pay over money deposited in their hands.

A bill, to be entitled an act, to amend an act, passed the 14th December, 1815, for the better regulation of the town of Watkinsville, in the county of Clarke.

A bill to be entitled an act, to authorise the Justices of the Inferior Court of Elbert county, to build or erect a new court-house at any place in their discretion within three hundred yards of where the old one now stands—and

The bill to be entitled an act, to amend the several road-laws now in force in this state, so far as respects the county of Clarke—and he withdrew.

The Senate took up the message, and unanimously agreed to the amendments made by the House of Representatives, to the bill to be entitled an act, to prevent the circulation of notes emitted by uncharted banks, and the issuing of due-bills of certain descriptions, and for other purposes.

The Senate took up the amendment to the bill to alter and change the names of certain persons therein mentioned, which was read and agreed to.

The amendment to the bill, to be entitled an act, in addition to, and amendatory of an act, to regulate attachments in this state, was read and agreed to—&

The amendment to the bill, to authorise the Commissioners of Baldwin county Academy to sell and convey six lots in the town of Milledgeville, for the benefit of said institution was read and agreed to.

The Senate took up the amendment to the resolution authorising His Excellency the Governor, to discharge the fourth Direct tax of this state, in the words following, to wit :

“ And that his Excellency be, and he is hereby requested to notify the General Government, as soon as convenient, of the intention of this state to assume

its quota of any Direct Tax, which may be imposed by Congress ;” which was read and agreed to.

The resolution appointing Anthony Dyer, a Trustee of the Monticello Academy.

The resolution appointing Paul M’Cormick, a Notary Public for the town of Irwinton—and

The resolution appointing Samuel Rockwell a Notary Public for the City of Savannah and county of Chatham, were severally taken up, read and concurred in—and

The bills therein contained were read the first time.

The Senate took up the report of the second committee of conference, on the bill to be entitled an act to prohibit slaves from selling certain commodities therein mentioned, which being read is as follows : That the Senate recede and concur with the House of Representatives, was agreed to.

A message from His Excellency the Governor by Mr. Wood, his Secretary :

*Mr. President ;*

I am directed by His Excellency the Governor, to inform the Senate, that he has assented to and signed the several acts, which originated in this Branch of the Legislature, viz :

An act, to repeal the 5th section of an act, passed the 16th December, 1815, entitled an act, to establish and incorporate an Insurance Company, called the Marine and Fire Insurance company, of the City of Savannah.

An act, to authorise the Justices of the Inferior Court of Effingham county, to levy an extra tax, for the purpose of defraying the expence of building a court house in said county, and to authorize them to sell and dispose of a decayed Brick-Building in the town of Ebenezer.

An act, to alter and change the names of certain persons therein named.

An act, to appoint commissioners for the better regulation and government of the village of Appling, and for incorporating the same.

An act to incorporate the town of Marion, in the county of Twiggs, and to vest certain powers in the commissioners thereof—and

An act, to repeal an act, to authorise a part of the Camden Battalion, to muster in the town of St. Marys—and he withdrew.

Ordered, that the Committee do carry the said bills, to the Secretary of State’s Office, and see the Great Seal of the State affixed to them respectively.

A message from the House of Representatives by Mr. Turner, their clerk :

*Mr. President ;*

The House of Representatives adhere to the



ment to the bill to be entitled an act, to reform the Penal Code of this state, and request a committee of conference, and have appointed on their part, Messrs. Tankersly, B. Williams, Pope, Stocks and Ryan.

The Senate took up the message and it being read,

*Resolved*, That the Senate do concur in a committee of conference.

*Ordered*, that Messrs. Foster, Montgomery, Talbot, Blackshear and Cullens be the committee.

A message from His Excellency the Governor by Mr. Heath his Secretary;

*Mr. President*;

I am directed by His Excellency the Governor to notify this branch of the Legislature, that he has approved of, and signed five resolutions, which originated in this branch of the Legislature.

And I am also directed by His Excellency the Governor to return to this branch of the General Assembly,

An act, to authorise the Trustees of the Richmond Academy, or their successors in office, to lay off a range of lots on Walker street in the city of Augusta, and to sell, dispose of, and convey the same, and for other purposes, with his dissent thereto—and he withdrew.

The Senate took up the message, and

*Resolved unanimously*, That the Senate do strike out in the caption of said bill, the words, "for other purposes therein mentioned," and that it be inserted in lieu thereof, "to appropriate the money arising from the sale of said lots."

On motion of Mr. Montgomery,

*Resolved*, That the Sheriff of Effingham county be, and he is hereby authorised and required to sell a tract of land in said county, containing by estimation three thousand acres, which was confiscated as the property of Thomas Skinner, the sale to be on the day prescribed by law for Sheriffs' sales, after giving thirty days notice in some one of the Gazettes of this state, and to the highest bidder, and paid in three annual instalments, and be well secured by bond and personal security, each instalment in ten notes of equal sums, and be equally divided amongst the Commissioners of the Academies of the several counties of Elbert, Jackson, Morgan, Jasper, Putnam, Laurens, Montgomery, Scriven, Bulloch and Clarke, and that the Com'rs do appoint an Agent to attend said sale, and see that said land does not sell for less than its worth, or bid off the same for the use of the Academies of said counties, and that the Commissioners of confiscated property do make titles to the purchasers.

Mr. Montgomery laid on the table the following resolutions:

*Resolved*, That be, and they are hereby appointed a Board of Inspectors for the Penitentiary and its appurtenances—and

*Resolved*, That be, and they are hereby appointed a committee to inspect the members accounts, and that they allow no wages to any member for any day or days which he or they have been absent from the Senate, either with, or without leave, unless prevented from attendance by the act of God.

Adjourned 'till 10 o'clock to-morrow morning.

## SATURDAY, 14th December, 1815.

The Senate re-considered the minutes of yesterday, relative to the payment of the fourth Direct tax.

On motion,

*Resolved*, That the Honorable Member from the county of Burke, and the Honorable Member from the county of Madison, have leave of absence after to day, for the remainder of the session.

The Senate took up the bills in order, and the following bills were read the 2d time, and

*Ordered* for committee of the whole.

The bill to authorise and empower the Justices of the Inferior court of Elbert county, to build or erect a new Court-House at any place in their discretion, within three hundred yards where the old one now stands.

The bill to be entitled an act to amend the several road laws now in force in this state, so far as respects the county of Clarke—and

The bill to be entitled an act to compel Clerks of the Inferior courts of this state to pay over money deposited in their hands.

The bill to be entitled an act, to amend an act, passed the 14th December 1815, for the better regulation of the town of Watkinsville, in the county of Clarke, was read the 2d time, and

*Ordered* for a third reading.

A message from the House of Representatives by Mr. Turner their Clerk;

*Mr. President*;

The House of Representatives have passed the following bills from Senate without amendment:

A bill to be entitled an act, amendatory of the several acts relating to the town of Greensborough.

A bill to be entitled an act, to repeal an act to authorise John Martin Dasher to keep open and improve the navigation of Ebenezer mill creek, and to erect mills thereon, and to prevent persons from pla-

ing obstructions so as to prevent the free use of the navigation of the same—and

The bill to be entitled an act to enable Daniel Hotchkiss, Reuben Taylor, William Gordon and John Fryer, the present proprietors of the line of Stages between the city of Savannah and Augusta, to give security for running the said line of Stages for, and to the end of the time, which right of running the said line of Stages was granted to Lewis Calhoun and John Coats.

They have passed the following bills from Senate with amendments :

The bill to be entitled an act to alter the times of holding the Superior courts of the Middle circuit of this state.

The bill to be entitled an act to authorise the Justices of the Inferior court of Telfair county to levy an extra tax—and

The bill to be entitled an act to amend an act, entitled an act, to authorise the Trustees of the University of Georgia to sell the lands belonging to said University, and to systemize the funds belonging thereto, passed the 16th December 1815, and to amend the several acts heretofore passed, for the more full and complete establishment of a public seat of learning in this state.

They have passed an act to authorise Armstead Burt and others to keep a Ferry on Savannah river.

They have agreed to the reports of the committee on petitions, allowing gratuities to widows of deceased soldiers.

They have agreed to the amendment of Senate to the bill altering the time of holding the Superior and Inferior courts in the county of Wilkes, and the fall term of the Superior court of the county of Madison.

They have passed a resolution allowing the accused in all criminal prosecutions, to have the concluding argument to the Jury.

They have agreed to two reports of the committee on Finance—

One relative to an appropriation for the Penitentiary Edifice, and the other making sundry other appropriations to pay for the States' shares in the Bank of the State of Georgia, &c.—and he withdrew.

The Senate took up the message and the several amendments made by the House of Representatives to the bills therein contained, were read and agreed to.

The Senate took up the several reports and resolutions of the committee on petitions, which were read—and

Ordered to lie on the table.

The report of the committee on Finance, making

appropriations for the payment of the States' Shares in the Bank of the State of Georgia, &c. was taken up read and agreed to—and

The report relative to an appropriation for the Penitentiary Edifice, was read, and

Ordered to lie on the table—and

The bill to be entitled an act to authorise Armstead Burt and others to keep a Ferry on Savannah river, was read the first time.

Mr. Foster from the committee of conference, reported, to wit :

The joint committee of conference to whom was referred the subject matter of difference between the Senate and House of Representatives, on the bill to be entitled an act to reform the Penal Code of this State, and to adapt the same to the Penitentiary system, recommend that the Senate recede and concur with the House of Representatives, which being read was disagreed to ; and the yeas being required, are yeas 9—nays 18.

Those who voted in the affirmative, are Messrs.

Burke,	Knight,	Reed,
Cullens,	Montgomery,	Sorrells and
Hardin,	Pope,	Wade.

Those in the negative, are Messrs.

Beasley,	Griffin,	T. Mitchell,
Blackshear,	Harris,	N. Mitchell,
Byne,	Hatcher,	Newsom,
Cleveland,	Henly,	Swain,
Fleming,	Hogg,	Talbot and
Foster,	Hudspeth,	Walker.

On motion of Mr. Hardin,

Whereas it is found by experience that the attendance of the Adjutant General in the several regiments within this state, to be entirely inadequate to the purpose contemplated, to wit : In perfecting the militia of this state in the approved mode of tactics prescribed by the laws of the United States. :

*Be it therefore resolved, by the Senate and House of Representatives, in General Assembly met, and it is hereby resolved by the authority of the same,* That in future the service or attendance of the Adjutant General in the several Regiments in this State at Regimental Reviews, or Convention of Officers, he and the same is hereby dispensed with, any resolution to the contrary notwithstanding.

Which was read, and ordered to lie on the table.

On motion of Mr. Talbot,

*Resolved,* That James Wingfield be, and he is hereby appointed a Commissioner of the Academy of the town of Washington, in place of Dr. Gilbert Hay, resigned.

On motion,

*Resolved,* That Messrs. Montgomery, Harris and Henly be, and they are hereby appointed a committee, to inspect the numbers' and officers' accounts.



A message from the House of Representatives by Mr. Turner their clerk :

*Mr. President ;*

The House of Representatives have passed the following bills :

A bill, to be entitled an act, to appropriate monies for the political year 1817—and

A bill, to be entitled an act, to levy a Tax, for the support of Government, for the political year 1817—and

They have agreed to the report of the Committee of Conference, on the subject matter of disagreement between the two branches of the General Assembly, to the bill, to be entitled an act, to reform the Penal Code of this State—and he withdrew.

The Senate took up the message, and disagreed to the report of the committee of conference from the House of Representatives, and request a second committee of conference, and have appointed on their part, Messrs. Foster, Blackshear, Talbot, Harris & Henly.

They disagree to the resolution authorising the accused in all criminal prosecutions, to have the conclusion—and

Ordered, that the said resolution do lie on the table for the remainder of the session—and

The several bills therein from the House of Representatives, were read the first time.

A message from His Excellency the Governor, by Mr. Wood his Secretary :

*Mr. President ;*

I am directed by His Excellency the Governor, to inform the Senate, that he has assented to, and signed the several acts, this being the branch of the Legislature in which they originated.

An act, to amend the 5th section of an act, for the appointment of county officers—passed on the 16th day of February, 1799.

An act, for altering the uniforms of the Militia Officers of the state of Georgia.

An act, to authorise the commissioners of the Academy of Washington county to dispose of a certain lot in the town of Sandersville.

An act, to divorce certain persons therein named.

An act, to provide for taking the census of this state, as required by the Constitution.

An act, to legalize and make valid, the acts and proceedings of the Sheriffs', Clerks', and other Officers belonging to the middle Judicial Circuit or District of this State.

An act, to prevent Boat Owners or Patrons, from permitting Boat-lands or other Negroes, from trafficking in corn or other produce, or from carrying the same to market on board of the Boats, accustomed

ed to navigate the river Savannah, between Augusta & Savannah—and he withdrew.

Ordered, that the Committee do carry the said several acts, to the Secretary of State's Office, and see the Great Seal of the State affixed respectively thereto.

Adjourned 'till Monday morning 10 o'clock.

**MONDAY, 16th December, 1816.**

The following bills were taken up, and severally read the 2d time, and referred to the committee of the whole.

A bill, to be entitled an act, to levy a tax for the support of Government, for the political year, 1817.

The bill, to be entitled an act to appropriate monies for the political year 1817.

The bill, to be entitled an act, to authorise Armstead Burt and others, to keep a Ferry on Savannah river.

The bill, to be entitled an act, to amend an act, passed 14th day December, 1815, for the better regulation of the town of Watkinsonville, in the county of Clarke, was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to compel Clerks of the Inferior Courts of this state, to pay over monies deposited in their hands—Mr. Reed in the chair—Mr. President resumed the chair, and Mr. Reed reported, that they had gone through the bill without any amendment.

Whereupon, the said bill was read the 3d time and passed.

The Senate resolved itself into a committee of the whole, on the bill, to amend the several road laws in force in this state, so far as respects the county of Clarke—Mr. Pope in the chair—Mr. President resumed the chair, and Mr. Pope reported, that they had gone through the bill with amendments.

Whereupon, the said bill was read the third time and passed as amended.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to authorise the Justices of the Inferior court of Elbert county, to build or erect a new court-house at any place in their discretion, within three hundred yards of where the old one now stands—Mr. Fleming in the chair—Mr. President resumed the chair, and Mr. Fleming reported, that they had gone through the bill with amendment.

Whereupon the said bill was read the third time, and passed.

Mr. Foster from the Committee of conference, reported—

The second joint committee of conference, to whom was referred the subject matter of difference in opinion between the two branches of the General Assembly on the 14th section of the 4th Division of the Penal Code, beg leave to submit the following report :

That viewing as they do, the present Laws of this state, intended to suppress gambling, and being of opinion that the section as passed by the Senate, together with the laws now in force is preferable to the one proposed by the House of Representatives, do therefore recommend that the House of Representatives do recede and concur with Senate.

The Senate took up the report, and on the question to agree thereto, the yeas and nays being required, are yeas 21—nays 2.

Those who voted in the affirmative, are Messrs.

Beasley,	Hardin,	T. Mitchell,
Blackshear,	Harris,	N. Mitchell,
Cleveland,	Hatcher,	Reed,
Cullens,	Henly,	Swain,
Fleming,	Hogg,	Talbot,
Foster,	Hudspeth,	Walker and
Griffin,	Knight,	Wimberly.

Those in the negative, are Messrs.

Burke, Montgomery, Pope and Wade.

A message from the House of Representatives by Mr. Turner, their Clerk :

*Mr. President :*

The House of Representatives have passed a resolution instructing our Representatives in Congress, to use their exertions to have repealed, the act allowing compensation to the members of Congress.

They have passed a resolution, that it would be premature at this time, to dispose of the tract of country, which is said to have been lately acquired from the Creek Indians—and

Have passed a resolution allowing to Thomas U. P. Charlton and Charles Harris a compensation for drafting the Penal Code, &c.—and

They have agreed to a 2d committee of conference on the bill, to reform the Penal Code, and have appointed a committee on their part.

They have passed the following bills from Senate :

The bill, to be entitled an act, to establish the site of the Public Buildings, in the county of Jones.

The bill, entitled an act, to amend the act of 1814, entitled an act, to authorise the collection of rents in the City of Augusta and the precincts thereof—and

The act, entitled an act, to divorce and separate Jeremiah Pitman and Delany Pitman his wife.

They have passed a bill, to alter and amend an act, incorporating the city of Augusta—and

They unanimously agree to the amendments suggested by His Excellency the Governor, to the bill to authorise the Trustees of the Richmond Academy, or their successors, to lay off a range of lots on Walker street, in the city of Augusta, &c.—and he withdrew.

The Senate took up the message, and ordered that the resolution on the subject of the compensation law, do lie on the table.

They concur in the second resolution on the subject of Indian territory.

They have amended the resolution in favor of T. U. P. Charlton and Charles Harris, to read in the words following :

*Resolved,* That His Excellency the Governor be authorized to settle with T. U. P. Charlton & Charles Harris, for their service in compiling the Penal Code, out of the contingent fund of the year 1817, if the same has not been already done.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to levy a tax for the support of government, for the political year 1817—Mr. T. Mitchell in the chair—Mr. President resumed the chair, and Mr. Mitchell reported, that they had gone through the same without amendment.

Ordered that the report do lie on the table.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to appropriate monies for the political year 1817—Mr. Talbot in the chair—Mr. President resumed the chair, and Mr. Talbot reported, that they had made progress and asked leave to sit again.

The Senate took up the report and agreed thereto.

Mr. Foster from the joint committee made the following report, to wit :

The committee whose duty it was made to examine the Penitentiary Edifice, have performed the duty assigned them—and

*Report,* that there are nineteen prison rooms & five solitary cells completely ready for the reception of convicts. The Store room in the third and Chapel in the second story, are nearly finished. The Keeper's apartments in the second and third stories, are in a state of forwardness, as to the wood-work.—Six small rooms for the accommodation of Inferior Officers are generally finished. The Keeper's Kitchen and Inspectors rooms are in a state of forwardness. The passages are for the most part finished, and the flights of stairs complete except the hand-railing.

The work-shops are in a very backward state, and the committee are apprehensive, that without great industry and exertions a considerable time must elapse before they can be finished.

The style and manner in which the work in the

internal part of the Edifice has been executed, reflects credit on the Commissioners and Undertakers who deserve in the opinion of the Committee the approbation of the General Assembly.

Your committee recommend that the Commissioners proceed to the completion of the Edifice—which was read, and

Ordered to lie on the table.

A message from the House of Representatives by Mr. Turner their Clerk :

*Mr. President ;*

The House of Representatives have disagreed to the report of the second committee of conference on the subject matter of disagreement, relative to the bill to reform the Penal Code, and do request a 3d committee of conference, and have appointed on their part, Messrs. Brauham, Tankersly, B. Williams, Jones and Grantland.

They have passed a bill from Senate to be entitled an act to incorporate the Trustees of Warrenton Academy in the county of Warren, with amendments—and

The bill to carry into effect the Penal Code of this state and the Penitentiary system founded thereon, also with amendments—and he withdrew.

The Senate took up the message, and concurred in a third committee of conference therein requested, and appointed on their part, Messrs. Foster, Blackshear, Walker, T. Mitchell and Wimberly.

Ordered, that the remainder of the message do lie on the table.

The death of the Honorable George G. Nowlan having been announced to the Senate,

*Resolved*, That the Hon. David Blackshear, the Hon. Mathew Talbot and the Hon. John M. Wade, be a committee to make arrangements for his interment.

The Senate then adjourned until three o'clock this evening.

*3 o'clock, P. M.*

On motion of Mr. Harris,

*Resolved by the Senate and House of Representatives of the State of Georgia in General Assembly met*, That our Senators in Congress be instructed, and our Representatives requested to use their endeavors with the General Government to have the Port of Darien in this State, established as a port of entry.

*And be it further resolved*, That His Excellency the Governor be, and he is hereby requested to transmit copies of this resolution to our said Senators and Representatives.

The Senate took up the report of the committee

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of Finance, on the petition of William Stroud, and on the petition of J. Petit, which were read and agreed to.

The Senate again resolved itself into a committee of the whole, on the bill to be entitled an act to appropriate monies for the political year 1847—Mr. Talbot in the chair; Mr. President resumed the chair, and Mr. Talbot reported that they had gone through the said bill with amendments.

Ordered, that the report do lie on the table.

Mr. Newsom from the committee to examine the engrossed Journal of Senate, reported that they were entered correct up to Saturday the 14th instant.

The Senate took up the message of the House of Representatives of this day, and the amendment to the bill to incorporate the Warrenton Academy was agreed to.

They also took up the amendments made by the House of Representatives to the bill to carry into effect the Penal Code of this State and the Penitentiary system founded thereon, and they being severally read, were agreed to.

Mr. Montgomery called up the resolution appointing a Board of Inspectors for the Penitentiary, and its appurtenances, which was filled up to read in the words following :

*Resolved*, That Dr. Samuel Boykin, Dr. Tomlinson Fort, Tho's H. Kenan, John Howard, Zach. Lamar, G. R. Clayton, E. B. Jenkins, A. Hammond and Myles Greene be, and they are hereby appointed a Board of Inspectors for the Penitentiary and its appurtenances.

Mr. Foster from the third committee of conference reported, to wit :

The third committee of conference, to whom was referred the subject matter of disagreement between the two branches of the General Assembly, relative to the bill to be entitled an act to reform the Penal Code, &c. beg leave to recommend the following as a substitute in lieu of the section proposed by the two branches, to wit :

Any person who may be found playing or betting at any game with Cards, Dice, Checks, or any other instrument or article used in gambling, or which may hereafter be invented, or at any gaming place, or table of any description or name whatever, for money or property, (innocent games of amusement, where no person wins or loses not exceeding five dollars in any term of twenty-four hours, excepted) shall be indicted, and on conviction, be fined in any sum not less than fifty dollars, nor more than five hundred dollars, at the discretion of the Jury—one half to the benefit of the informer, and the other half for the use of the county where the offence may have been committed—*Provided nevertheless*, That running

of horses, shooting, or any other peaceful athletic exercise, shall not be deemed within the purview of this act; and the said report being read, was

Ordered to lie on the table.

Mr. Walker laid on the table the following resolution, which was read, and

Ordered to lie on the table, viz:

Whereas it ought ever to be the primary object of every republic, to foster, cherish and encourage the arts and sciences—particularly of our own country—and in order that our state may derive the advantages resulting from a Spinning Machine placed on a new construction, and of which Robert Todd, of the State of has obtained a patent from the General Government;

*Be it therefore resolved by the Senate and House of Representatives of the State of Georgia in General Assembly, That His Excellency the Governor be requested to contract with the Agent of the Patent for the Patent right for this state.*

A message from the House of Representatives by Mr. Turner their Clerk;

*Mr. President,*

The House of Representatives have disagreed to the report of the third committee of conference, on the bill to reform the Penal Code of this State, and do request a fourth committee on the subject matter in dispute in said bill, and have appointed a committee on their part—and he withdrew.

The Senate took up the message and agreed to a fourth committee of conference and have appointed Messrs. Hudspeth, Hardin, Cleveland, N. Mitchell and Beasley, a committee on their part.

Mr. Newsom from the committee of enrolment reported as duly enrolled and signed by the Speaker, the following acts:

An act to legalize the proceedings of the Superior and Inferior courts of the respective counties in this state, and to render valid the acts of the public officers of the same.

An act to alter and change the names of certain persons therein mentioned.

An act to alter the time of holding the Superior courts in the Middle circuit of this state.

An act to alter the time of holding the Superior and Inferior courts in the county of Wilkes and the fall term of the Superior court in the county of Madison.

An act to regulate the admeasurement and inspection of Lumber, Staves, Shingles, and for other purposes therein mentioned.

An act to enable Daniel Hotchkiss, Reuben Taylor, William Gordon and John Fryer, the present proprietors of the line of Stages between the cities of Savannah and Augusta, to give security for running

said line of Stages for, and to the end of the time which right of running said line of Stages was granted to Lewis Calhoun and John Coats.

An act for the relief of Elisha Wright.

An act in addition to, and amendatory of an act to regulate attachments in this state.

An act to alter so much of an act, entitled an act to regulate the General elections in this state and appoint the time of the meeting of the General Assembly, so far as the same requires all General elections to be held at the place of holding the Superior courts.

An act to amend an act, entitled an act to keep open, remove and prevent obstructions in Savannah river, calculated to impede the free passage of fish, and for other purposes, passed the 10th December, 1812.

An act to amend an act, entitled an act to regulate the town of Lexington, passed on the 24th November, 1806—and an act to amend the same, passed the 27th November 1807, and for other purposes.

An act to authorise the Commissioners of the town of Milledgeville, to lease one acre of land of the town Commons.

An act to authorise the Commissioners of Baldwin county Academy, to sell and convey six lots in the town of Milledgeville, for the benefit of said Academy.

An act to amend an act, entitled an act to authorise the Trustees of the University of Georgia, to sell the lands belonging to said University and to systemize the funds belonging thereto, passed the 16th December 1815, and to amend the several acts heretofore passed, for the more full and complete establishment of the public seat of learning in this state.

An act amendatory of the several acts relating to the town of Greensborough.

An act to repeal an act, to authorise John Martin Dasher to keep open and improve the navigation of Ebenezer mill creek, and to erect mills thereon, and to prevent persons from placing obstructions so as to prevent the free use of navigation of the same.

An act to vest the appointment of Commissioners of Academies, Vendue masters, Notaries Public and Lumber measurers in certain persons therein mentioned.

An act to amend an act to appoint Commissioners for the better regulation and government of the town of Washington, and for incorporating the same, passed the 7th of December 1805, and for other purposes therein mentioned.

An act to amend an act, entitled an act to cede that part of the unlocated Territory of this state, which

lies without the limits of the present counties to the county of Jasper, passed the 23d of November 1810—and

An act to alter and amend an act, entitled an act to alter and amend the 12th section of an act to protect the estates of Orphans and to make permanent provision for the poor—passed the 16th December, 1811.

Mr. Blackshear from the Committee appointed to make arrangements for the funeral and interment of the Honorable GEORGE G. NOWLAN, a Senator from the county of Effingham, reported the following resolutions.

*Resolved*, That the Senate deeply impressed with the sudden and unexpected dispensation of Providence, which hath deprived it of one of its most valuable members, will wear Crape on the left arm, during the remainder of the session, and for ten days thereafter, as a testimonial of the high respect for the deceased.

*Resolved*, That the said committee do in the name of the Senate, invite His Excellency the Governor, the Speaker and members of the House of Representatives, with all the Executive Officers, to attend the interment of the deceased, to-morrow at nine o'clock, A. M.

*Resolved*, That the Committee appointed do wait on the Rev'd. Myles Greene, and request him to attend on the said interment.

The committee appointed to make arrangements for, and superintending the funeral and interment of the remains of the Honorable GEORGE G. NOWLAN, report as follows :

That the procession be formed at 9 o'clock, to-morrow, A. M. near the State-House, and proceed to the place of interment, in the following order, to wit :

- 1st. Capt. Robert Samuel and his company of Infantry, with muskets to fire five minute platoons.
- 2d. The Clergy and Physicians.
- 3d. The Corpse.
- 4th. The Chief Mourners.
- 5th. The President and Senate, two and two.
- 6th. The Governor and State Officers.
- 7th. The Speaker and members of the House of Representatives, two and two.
- 8th. The Citizens, two and two.

Adjourned until to-morrow morning 10 o'clock.

## TUESDAY, 17th December, 1816.

The bill to be entitled an act, to alter and amend an act, incorporating the City of Augusta, was read the second time—and

*Ordered* for committee of the whole.

The Senate resolved itself into a committee of the whole, on the bill, to be entitled an act, to authorise Burt and others, to erect a Ferry, a cross Savannah river—Mr. Montgomery in the chair—Mr. President resumed the chair, and Mr. Montgomery reported, that they had gone through the bill with amendments.

The Senate took up the amendments, and the same being read were agreed to.

Whereupon the said bill was read the third time and passed as amended.

The Senate took up the report of the committee of the whole on the bill, to be entitled an act, to levy a tax for the political year 1817, which being read, was agreed to.

Whereupon the said bill was read the third time and passed.

The Senate resolved itself into a committee of the whole, on the bill to be entitled an act, to appropriate monies for the political year 1817—and the same being read was amended and agreed to.

Whereupon the said bill was read the third time and passed as amended.

A message from the House of Representatives by Mr. Turner their Clerk :

*Mr. President ;*

The House of Representatives have passed an act to alter and amend the third and eleventh sections of an act, to raise a tax for the support of Government, passed the 12th day of December, 1801—and he withdrew.

*Ordered*, that said message do lie on the table.

On motion of Mr. Cullens,

*Resolved*, That Messrs. Newsom, Henly, and Hatcher, be a committee to see the unfinished business of the Senate completed, and that they be allowed three days after the adjournment of the Legislature to do the same.

A message from the House of Representatives by Mr. Turner their Clerk :

*Mr. President ;*

The House of Representatives have passed the bill from Senate to be entitled an act for the trial and punishment of slaves, and free people of colour, with amendments—and he withdrew.

The Senate took up the message, and the amendments being read, were agreed to.

Mr. Hudspeth from the 4th committee of conference, on the bill to reform the Penal Code of this state, reported to wit :

Any person or persons who may be found playing at any game with cards, dice, checks, or at billiards, or any other instrument, article or articles, thing or things, whatsoever used, or which may



hereafter be used for the purpose of betting upon or wining, or losing money, or any other thing or things, article or articles of value, or any property of value whatsoever, or betting money or property, or article or articles, thing or things of value, on any of the games aforesaid, or which may be hereafter invented, may be indicted, and on conviction thereof, shall be fined in a sum not less than fifty dollars, nor more than five hundred dollars, as the Jury may recommend. One half for the benefit of the informer, and the other half for the use of the county, where the offence may have been committed.

*Provided also*, That this act shall not be construed to extend to horse racing, shooting with guns of any description used against an enemy, wrestling, jumping, foot racing, five playing, pitching with coits or dollars, or any other peaceable and any other civil or athletic exercise of man or men, not herein particularly enumerated.

*And be it further enacted*, that it shall be the duty of the Judges of the Superior Courts of this state at the opening or commencement of every Court to give in charge to the Grand Juries respectively, the substance and intention of the legislature, as contained in the several sections in this code, relative to gambling.

Ordered, that the report do lie on the table.

On motion of Mr. Talbot,

*Resolved*, That the sum of Ninety-Two Dollars be, and the same is hereby appropriated to defray the expence of intering the Honorable George G. Nowlan, a member of Senate from the county of Effingham, and that His Excellency the Governor be required to pay the same out of the contingent fund.

A message from the House of Representatives by Mr. Turner, their clerk :

*Mr. President ;*

The House of Representatives have agreed to the report of the 4th committee of conference on the bill to reform the Penal Code of this state—and he withdrew.

The Senate took up the message, and the report being read, on the question to concur in the report ? it was determined in the affirmative, and the yeas and nays being required, are yeas 18—nays 7.

Those who voted in the affirmative are Messrs.

Beasley,	Hogg,	Newsom,
Burke,	Hudspeth,	Pope,
Cleveland,	Knight,	Reed,
Cullens,	T. Mitchell,	Swain,
Foster,	N. Mitchell,	Wade and
Hardin,	Montgomery,	Wimberly.
Hatcher,		

Those in the negative are Messrs.

Blackshear,	Harris,	Talbot and
Fleming,	Henly,	Walker.
Griffin,		

On motion of Mr. Henly,

*Resolved*, That it is the opinion of Senate, that the committee appointed to inspect the accounts of the members and officers of Senate, ought to allow the two engrossing Clerks, three days to complete the unfinished business of the session.

A message from the House of Representatives, by Mr. Turner, their clerk :

*Mr. President ;*

I am directed by the House of Representatives, to inform the Senate, that the House of Representatives will be ready to adjourn on to-morrow, *sine die*.

The Senate took up the message, and agreed to the resolution.

On motion of Mr. Henly,

*Resolved unanimously*, That the thanks of Senate be, and they are hereby given to the Honorable William Rabun, for the able manner in which he has discharged the duties of President of this branch of the General Assembly.

The Senate then adjourned until to-morrow morning, 7 o'clock.

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WEDNESDAY, 18th December, 1816.

A message from the House of Representatives by Mr. Turner their Clerk :

*Mr. President ;*

The House of Representatives have passed a resolution appointing a committee on their part, to join such as may be appointed on part of Senate, to see the great Seal of the State affixed to such laws as may remain in the Executive Department at the end of the present session, and to see the Journals of the two Houses brought up to the end of the session, and that they be allowed three days after the rising of the General Assembly for said purpose, and that the sum of three dollars be allowed them each per day—also the sum of four dollars each per day to the Secretary of the Senate and Clerk of the House of Representatives ; and the sum of four dollars to the Engrossing Clerk of the House of Representatives, and Engrossing Clerk of the Senate, for three days after the adjournment of the Legislature.

A resolution, that the Executive be, and he is hereby authorised and requested to pay James Rousseau, the sum of thirty-two dollars, out of the

contingent fund, as a compensation for enrolling the Penal Code.

A resolution requesting His Excellency the Governor to have published in the Georgia Journal (as early as possible, for the information of the people) the following acts, to wit:

An act to prevent the circulation of notes emitted by unchartered banks—to prohibit the issuing of due-bills, and to compel the chartered Banks to pay specie when the Bank of the U. S. and the Banks of the adjacent States shall commence specie payments.

An act to impose an additional tax on Pedlars and other itinerant traders.

An act for the trial and punishment of slaves and free people of color.

An act to prohibit slaves from selling certain commodities therein mentioned—and

An act to alter the times of holding the Superior courts of the Middle circuit of this state.

They have passed a resolution allowing James Lane further time to pay for fractions purchased by him—and he withdrew.

The Senate took up the message, and the resolutions therein contained were severally read and concurred in.

Mr. Montgomery from the committee appointed to examine the accounts of the members and officers of Senate, presented a warrant in due form on the Treasurer, which was received and signed by the President of Senate.

Mr. Newsom from the committee on enrolled bills, reported sundry acts as duly enrolled and signed by the Speaker, which were presented to and severally signed by the President of Senate.

Ordered, that the committee of enrolment do carry said acts to His Excellency the Governor for his revision.

The Senate took up the report of the committee appointed to examine the Penitentiary Edifice, which was read and concurred in.

On motion of Mr. Hudspeth,

*Resolved*, That a committee be appointed on part of Senate, to wait on His Excellency the Governor and inform him that the General Assembly are ready to adjourn *sine die*; and ascertain whether he has any further communication to lay before them.

Mr. Hudspeth from the joint committee appointed to wait on His Excellency the Governor have performed the duty assigned them, and received for answer that he has no further communication to lay before the General Assembly.

On motion,

*Resolved*, That the Secretary do inform the House of Representatives that the Senate are now ready to adjourn *sine die*.

A message from the House of Representatives by Mr. Turner, their Clerk:

*Mr. President;*

I am directed to inform the Senate that the House of Representatives are now ready to adjourn *sine die*—and he withdrew.

The President then adjourned the Senate without a day.

Attest,

WILL ROBERTSON,  
*Secretary.*

F I N I S.





# Rules of Senate

1st. The President having taken the chair and a quorum being present, the journal of the preceding day shall be read.

2d. No member shall speak to another, or otherwise interrupt the business of Senate, or read any printed paper while the journal of public papers are reading, or when any member is speaking in debate.

3d. Each member, when he speaks, shall address the chair, standing in his place, and when he has finished, shall sit down.

4th. No member shall speak more than twice in any one debate, on the same day, without leave of Senate.

5th. When two members rise at the same time, the President shall name the person to speak; but in all cases, the member first rising, shall speak first.

6th. No motion shall be debated until the same be seconded.

7th. When a motion shall be made and seconded, it shall be reduced to writing, if required by the President or any member, delivered in at the table and read, before the same shall be debated.

8th. While a question is before Senate, no motion shall be received, unless for an amendment, for the previous question, or for postponing the main question, or to commit, or to adjourn.

9th. The previous question being moved and seconded, the question from the chair shall be, shall the main question be now put? and if the nays prevail, the main question shall not then be put.

10th. If a question in debate contains several points, any member may have the same divided.

11th. When the yeas and nays shall be called for by two members, each member called upon, shall (unless excused by Senate) declare openly, and

without debate, his assent or dissent, to the question, and upon the call of the house, the members shall be taken by their names in alphabetical order.

12th. Any member intending to ask leave to bring in, or move for a committee to be appointed to report a bill, shall give, at least, one day's notice of such intention, and the title of such bill.

13th. No bill shall be committed or amended until it shall have been twice read, after which it may be referred to a committee.

14th. When a member shall be called to order, he shall sit down until the president shall have determined whether he is in order or not; and every question of order shall be decided by the president, without debate; but if there be a doubt in his mind, he shall call for the sense of Senate.

15th. If a member be called to order for words spoken, the exceptionable words shall immediately be taken down in writing, that the president may be better enabled to judge of the matter.

16th. When a blank is to be filled, and different sums and different days shall be proposed, the question shall be taken on the highest sum, and most distant day first.

17th. All petitions shall be numbered as they are received, and taken up and decided on in the same order, as they were received.

18th. No member shall absent himself from the service of Senate, without leave of Senate first obtained.

19th. The motion of adjournment shall be the first in order, without debate.

20th. No member shall leave his seat after adjournment, until the president shall have left the room.





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